

CITY COUNCIL REPORT



Meeting Date: May 8, 2012
 General Plan Element: *Land Use*
 General Plan Goal: *Create a sense of community through land uses*

ACTION

Portales Residential 76-ZN-1985#6

Request to consider the following:

1. Adopt Ordinance No. 4013 approving to modify the original zoning stipulations and amended development standards (case 76-ZN-1985#3) and a new development plan for 369 multi-family residential units on a 9.6± acre vacant portion of the 40-acre Planned Block Development, finding that the Planned Block Development criteria have been met and that the zoning map amendment is consistent with the adopted General Plan at 5000 Portales Place in the Downtown/Regional Commercial Office Type 2, Planned Block Development/Downtown Overlay (D/RCO-2 PBD/DO) zoning district.
2. Adopt Resolution No. 9040 declaring "Portales Residential Development Plan", as a public record.

OWNER

ML Manager, LLC
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APPLICANT CONTACT

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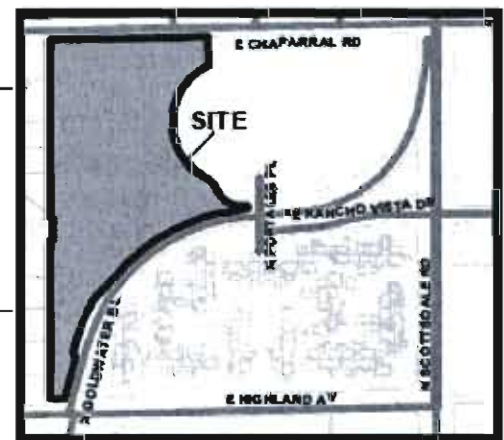
LOCATION

5000 N. Portales Place

BACKGROUND

General Plan

The Land Use Element of the General Plan designates the site as Mixed-Use Neighborhoods. This category includes higher density residential, office and retail uses. Mixed-Use Neighborhoods are



also characterized by being located in areas having multiple modes of transportation available. The Downtown is a designated Growth Area that also relies on these factors.

Character Area Plan

The Downtown Future Land Use map of the Downtown Plan designates the site as Downtown Regional Type 2. The Downtown Character Area Plan policies pertaining Downtown Regional designation encourages development of urban neighborhoods with primary land uses consisting of regional/community servicing commercial uses, as well as large scale housing developments. Centered around major regional retail, this urban neighborhood will strengthen Downtown Scottsdale as a regional and community destination. This land use designation accommodates the greatest intensity of Downtown development.

Zoning

The site is currently zoned Downtown/Regional Commercial Office Type 2, Planned Block Development/Downtown Overlay (D/RCO-2 PBD/DO) which provides for large-scale development of office and commercial uses, including regional shopping center. Residential use is permitted in mixed-use developments. Portales Residential is the final phase of the Portales Mixed-Use PBD.

Context

Located near the southwest corner of Scottsdale and Chaparral Roads, within the Portales Planned Block Development (PBD), the Portales Residential project includes only the portion of the PBD west of Portales Place, between Goldwater Boulevard and Chaparral Road. The Portales Residential site is currently vacant, with the 65-foot-tall Portales Corporate Center located immediately to the east, the 65-foot-tall Optima Camelview mixed-use/residential development to the south, and single-story, single-family residences located to the west and north. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North Single-story, single-family residences in the Single Family Residential (R1-7) zoning district (north side of Chaparral Road).
- South 65-foot-tall, multi-family residential complex with integrated office and retail in the Downtown/Regional Commercial Office, Type 2/Planned Block Development/Downtown Overlay (D/RCO-2/PBD/DO) zoning district (south side of Goldwater Boulevard).
- East 65-foot-tall commercial/office in the Downtown/Regional Commercial Office, Type 2/Planned Block Development/Downtown Overlay (D/RCO-2/PBD/DO) zoning district (east side of Portales Place).
- West Single-story, single-family residences in the Single-Family Residential (R1-7) zoning district.

Key Items for Consideration

- Vehicular access on Chaparral Road and associated traffic impacts on Chaparral Road
- Traffic impacts at Chaparral/Scottsdale Road intersection
- Increased density compared to previously approved project

- Neighborhood opposition/support
- Development Review Board unanimous recommendation for amended development standards
- Planning Commission heard this case on March 14, 2012 and recommended approval with a vote of 6-0.

Other Related Policies, References:

76-ZN-1985#3 Approved site plan and amended development standards for 126 residential units on the 9.6± acre northwest portion of Portales PBD

APPLICANTS PROPOSAL

Goal/Purpose of Request

Pursuant to the Planned Block Development Overlay District (PBD) requirements of the Downtown zoning district, the applicant is requests approval of a request to amend the stipulated site plan and amended development standards of zoning case 76-ZN-1985#3, in order to facilitate construction of 369 multi-family residential units on a 9.6-acre site.

The site is bounded by Chaparral Road on the north, Portales Place on the east, single-story, single-family residences on the west, and Goldwater Boulevard on the south. The proposed primary vehicular access is on Goldwater Boulevard, where traffic will enter a circular drive and then proceed to the subterranean parking area, open surface level parking, or carriage house garages. The proposed secondary access point on Chaparral Road is designed to discourage left turns out of the site onto westbound Chaparral Road, but allows right-in, left-in, and right-out for the proposed Portales Residential complex, as well as the existing Portales Corporate Center offices and commercial uses. A third vehicular access point is provided from Portales Place, a private street along the east side of the site abutting Portales Corporate Center.

The site will be comprised of nine multi-story buildings, separated by open spaces consisting of courtyards, passive green space, outdoor pools, water feature, as well as surface parking spaces and drive aisles. The pedestrian environment will include 6-foot-wide internal sidewalks connecting the buildings to each other and the various on-site outdoor amenities. Chaparral Road and Portales Place will also be improved with a 6-foot-wide sidewalks. Due to the existing topography and bridge, it is not possible for pedestrians to access Goldwater Boulevard from Portales Place; as such, a pedestrian environment is not possible along the portion of Goldwater Boulevard located east of the main entrance. However, west of the main entrance pedestrians will have access to 8-foot-wide sidewalks and a transit stop along that portion of Goldwater Boulevard.

Although a maximum height of 65 feet is permitted under the existing PBD, the maximum proposed building height is 50 feet, and occurs at the east side of the site adjacent to the existing 65-foot-tall Portales Corporate Center, and also at the southern portion of the site where Goldwater Boulevard separates the site from the existing 65-foot-tall Optima Camelview mixed-use development. Moving west, proposed heights transition from the maximum 50-foot-tall, 5-level buildings, to 38-foot-tall, 4-level buildings, then to 26-foot-tall, 2-level carriage house units that abut the single-family homes on the west side of the site.

The proposed architecture employs a contemporary design consistent with the Portales Master Plan, incorporating a strong horizontal theme, steel canopies that mimic the steel decks of Optima Camelview, structural brick that is four times larger than common brick, and sandstone in shades that complement the neighboring Portales Corporate Center.

Development Information

- Existing Use: Vacant parcel
- Proposed Use: 369 multi-family residential units
- Vacant Parcel Size: 9.6 acres gross/9.52 acres net
- Total PBD Site Size: 40 acres gross/36 acres net
- Building Size Proposed: 407,286 square feet
- Building Height Allowed: 65 feet and 5 levels
- Building Height Proposed: 50 feet and 5 levels
- Parking Required: 550 spaces
- Parking Provided: 608 spaces
- FAR Allowed: 425,917 square feet
- FAR Proposed: 407,286 square feet
- Density Allowed: 50 dwelling units per acre
- Density Proposed: 38.49 dwelling units per acre

IMPACT ANALYSIS

Land Use

The site is currently zoned Downtown/Regional Commercial Office Type 2, Planned Block Development/Downtown Overlay (D/RCO-2 PBD/DO), which is consistent with the General Plan. The Land Use Element of the General Plan designates the site as Mixed-Use Neighborhoods. This category includes higher density residential, office, and retail uses. Mixed-Use Neighborhoods are also characterized by being located in areas that have multiple modes of transportation available. The Downtown is a designated Growth Area that also relies on these factors. The proposed development addresses several of these goals and approaches, as identified in the applicant's narrative (Attachment #3).

The table below summarizes the development standards under the Standard Downtown Regional Commercial Office Type 2, Planned Block Development (D/RCO-2 PBD) Zoning District, the existing amended D/RCO-2 PBD Zoning District which currently exists on the subject property, and the current proposed development plan under the D/RCO-2 PBD Zoning District:

Development Standards	Standard D/RCO-2 PBD Zoning District	Existing Approved Development with Amended Development Standards D/RCO-2 PBD/DO	Proposed Development Plan with Amended Development Standards D/RCO-2 PBD/DO
Density	Max = 50 dwelling units/acre	13 dwelling units/acre (126 dwelling units)	38.49 dwelling units/acre (369 dwelling units)
Common Open Space	None required	198,194 sf	174,420 sf (approx)
Building Height	Max = 65'	65'	50'
Floor Area Ratio	Max allowed = 1.8	1.02 For 9.6 acre site = 425,917 sf	0.97 For 9.6 acre site = 407,266 sf
Setbacks	Front = 20' from planned curb; Side = 0' Rear = 0'	Front: 20' from planned curb (18' from decel lane) on Goldwater & 20' from planned curb on Chaparral	Front: 20' from planned curb (18' from decel lane) on Goldwater & 28' from planned curb on Chaparral

Character Area Plan (Downtown Plan)

The proposed development addresses several goals and policies of the Downtown Plan, Scottsdale Sensitive Design Principles, and Downtown Plan Urban Design & Architectural Guidelines, identified in the applicant's Project Narrative (Attachment #3). Staff has provided an analysis of the most relevant components below.

The DP Land Use Policy 1.2 seeks to maintain the Downtown as a year-round, 24-hour, highly functional mixed-use center, containing areas of different densities, architectural styles, and land uses that support the needs of Scottsdale's residents and visitors. The Portales Residential development proposes a residential density of 38.5 units/acre, which is significantly less than recently approved residential projects in Downtown Scottsdale, i.e., Blue Sky 174 units/acre, Optima Sonoran Village 50 units/acre, Scottsdale Waterfront 77 units/acre.

The DP Land Use Policy 2.2 supports interconnected, pedestrian oriented, urban neighborhoods that are comprised of a balanced mix of activities and land uses within optimal walking distance. Located approximately 400 feet to the south is the Scottsdale Fashion Square Mall, which opens up to a wide variety of interconnected pedestrian linkages and Downtown amenities, including the

multi-modal path along the Arizona Canal, The Waterfront, 5th Avenue shops, Old Town, and the Main Street galleries. Portales Residential development enhances pedestrian connectivity with 6-foot-wide and 8-foot-wide sidewalks that are adjacent to and through the community, as well as a transit stop on the Goldwater Boulevard frontage.

DP Land Use Policy 2.7 seeks to maintain, enhance, and expand the development of a Downtown Regional urban neighborhood with primary land uses consisting of regional/community serving commercial uses, as well as larger scale housing developments. Located 400 feet from Scottsdale Fashion Square, Portales Residential will provide a large number of residential units (369) to support existing and future retail and commercial uses in the Downtown area. At 38.5 units/acre, the proposed density will be compatible transition with the surrounding single-family residential (2.3 units/acre) as it transitions the urban core buildings in the Downtown Area.

DP Land Use Policy 3.2 supports higher scale Type 2 development in all non-Downtown Core areas of the Downtown. Portales Residential is such a higher scale Type 2 development on a site located outside of the Downtown Core.

DP Land Use Policy 6.1 encourages development of a variety of housing types, such as apartments, condominiums, lofts, townhomes, patio homes, and live/work units. The Portales Residential development proposes a 369-unit apartment development to address a rental housing demand in Downtown Scottsdale.

DP Character and Design Policies 1.1, 1.4 and 1.5 encourage developments to incorporate distinctive qualities and character of the surrounding and/or evolving context, to promote design that is influenced by and responds to the character and climate of the Sonoran Desert, and to encourage urban and architectural design that addresses human scale and provides for pedestrian comfort. The Portales Residential development steps its building heights from 50 feet adjacent to the 65-foot-tall Portales Corporate Center, to 26 feet adjacent to the single-story, single-family buildings in order to provide a transition from the urban Downtown developments to the adjacent suburban neighborhood. Proposed design elements include underground parking, shade canopies, awnings and covered balconies, and generous landscape areas to minimize heat island effects and provide solar protection. Proposed 6-foot-wide and 8-foot-wide sidewalks provide pedestrian connectivity between the proposed buildings and on-site amenities, and to Goldwater Boulevard. The proposed transit stop on Goldwater Boulevard further enhances pedestrian connectivity to the entire Downtown Area.

DP Character and Design Policy 2.1 indicates the scale of existing development surrounding the Downtown Plan boundary should be acknowledged and respected through a sensitive edge transition buffer that may include transitional development types, landscape buffers and sensitive architectural design solutions to address building mass and height.

DP Character and Design Policy 3.1 encourages enhancement of outdoor pedestrian comfort through microclimatic design incorporating a variety of shade conditions, landscape and features that are drought tolerant. The Portales Residential maximum proposed building height is 50 feet, and occurs at the east side of the site adjacent to the existing 65-foot Portales Corporate Center,

and also at the southern portion of the site where Goldwater Boulevard separates the site from the existing 65-foot-tall Optima Camelview mixed-use development. Moving west, proposed heights transition from the maximum 50-foot, 5-level buildings to 38-foot, 4-level buildings, then to 26-foot, 2-level carriage house units with densely landscaped green space that abuts the single-family homes on the west side of the site. The site design features a range of outdoor spaces and amenities, including pools, outdoor activity areas, shaded courtyards, and private balconies, as well as shaded sidewalks.

DP Mobility Policies 1.3 and 2.2 encourage upgrading of sidewalks and intersections, and emphasize pedestrian oriented design that encourages strolling, lingering and promenading activities. The Portales Residential development proposal provides shaded 6-foot-wide and 8-foot-wide sidewalks that are adjacent to and through the community, as well as a transit stop on the Goldwater Boulevard frontage, as well as seating areas throughout the development.

Planned Block Development Overlay District Criteria

The purpose of the Planned Block Development Overlay District (PBD) is to capitalize on additional opportunities for larger scale developments by providing flexibility in certain land use and development standards such as building setbacks, building stepbacks, building spacing and building design standards. In addition, the use of the Planned Block Development Overlay District (PBD) allows for enhanced public benefits to be applied to development projects such as augmented buffers and cultural art improvements. An application for the use of the PBD requires recommendation by the Development Review Board of any proposed Amended Site Development Standards (ASDS). The Development Review Board reviewed the proposed ASDS on February 16, 2012 and unanimously recommended to the Planning Commission and City Council approval. After receiving the Development Review Board's recommendation regarding any proposed ASDS, the Planning Commission recommends, and the City Council shall consider for adoption, an amendment and/or the creation of a PBD only after making the following findings have been made:

- 1. That the development plan is consistent with the adopted downtown plan and other applicable policies, and that it is compatible with development in the area it will directly affect.*

The proposed development plan is consistent with the adopted Downtown Character Area Plan and other applicable policies. The site plan, along with the suggested stipulations, ensure the proposed development plan is compatible with surrounding developments.

The proposed development adds to the diversity of housing types within the Downtown area, and creates opportunities to reduce commute times, as well as enhance the pedestrian environment.

The maximum 50-foot building height proposed is to be located along the east property line, adjacent to the existing 65-foot commercial/office development. Moving west, the proposed heights transition to 38-foot tall, 4-level buildings, then to 26-foot-tall, 2-level carriage house units that abut the single-family homes on the west side of the site.

2. *That the development plan contributes additionally, beyond the underlying regulations, to the urban design objectives articulated for downtown, and that deviations from the regulations that otherwise would apply are justified by compensating benefits of the development plan.*

Though common open space is not required in the Downtown, the proposed development will provide throughout the site courtyards, passive green space, outdoor pools, as well as a prominent water feature at the main entry. The proposed design acknowledges the scale of existing development surrounding the Downtown boundary with transition in building heights in order to be compatible with the adjacent 65-foot high office/commercial complex on the east as well as the adjoining single-story, single-family residential neighborhood on the west. The project design responds to the Sonoran Desert climate by providing underground parking, shaded sidewalks and several shade elements incorporated into building design. The pedestrian environment both within and along the perimeter of the site will be enhanced with wider, shaded sidewalks as well as a transit stop at the main entry.

3. *That the development plan includes adequate provisions for utilities, services, and emergency vehicle access, and, if warranted, connections between underground parking facilities.*

All affected city departments have reviewed the application and have determined that adequate provisions for utilities, services, and emergency vehicle access have been incorporated in the proposed development plan.

4. *That projected traffic generated by the development plan will not exceed the capacity of affected streets.*

The Transportation Department had a Traffic Impact Mitigation Analysis conducted and concludes that the proposed development plan will not negatively impact capacity of affected streets, though it will generate more daily trips than the previously approved 126-unit condominium development for the site. Additional information is provided below under the Traffic heading and detailed in the Traffic Impact Summary (Attachment #6).

5. *That the development plan will not significantly increase solar shading of adjacent land in comparison with the development under prevailing regulations.*

The solar shading from the site has been studied, and due to the proposed setback and building heights, has been found to not significantly increase solar shading of adjacent land.

Amended Site Development Standards

To accommodate additional flexibility in design of the site and to develop multi-family residential buildings, the applicant is requesting amendment of the stipulated site plan and amended development standards of zoning case 76-ZN-1985#3. In accordance with the Zoning Ordinance, the Development Review Board recommends to the City Council approval of the applicant's proposed Amended Site Development Standards (ASDS).

The Site Development Standards of the Downtown zoning district were established to assure that developments maintain an appropriate relationship within the established urban fabric of the

Downtown area, as well maintaining appropriate buffers for areas adjacent to the Downtown. For larger developments, the PBD allows modification of the development standards in order to provide flexibility in the design of a proposed development. Generally, large-scale developments in the Downtown that have a site area exceeding 100,000 square feet, including office buildings, large-scale residential developments, shopping malls, and mixed-use developments, have, in the past, amended the Site Development Standards. Developments in the Downtown that have ASDS include Portales, X-Lofts, Safari, Scottsdale Fashion Square, and Main Street Plaza (Loloma Mixed Use Development).

Required Standard	Proposed Amended Standard
<p><i>1. Front building setback :</i></p> <p>Minimum 30-foot building setback on couplet roads in Type 2 area.</p>	<p>Reduce from 30 feet to 20 feet from curb line of Goldwater Blvd at deceleration lane and increase from 30 feet to 35 feet in other areas along Goldwater Blvd.</p>
<p><i>2. Building size maximum:</i></p> <p>350' horizontal dimension</p> <p>550' in any two adjacent dimensions</p> <p>200' in upper portion of building above 38'</p>	<p>From 350' to 440' on Building B east elevation;</p> <p>From 550' to 668' on Building B east and north elevations.</p>
<p><i>3. Spacing between buildings minimum</i></p> <p>10% of two longest sides</p>	<p>Increase previously approved amended standard from 8-foot minimum to 24-foot minimum.</p>
<p><i>4. Large walls, vertical dimension maximum:</i></p> <p>Tall walls shall be set back an additional 2 feet for every foot above 38 feet of vertical dimension, and shall constitute less than 50% of building's length as project to any street or alley frontage.</p>	<p>Modify to require setback for every foot above 50 feet (rather than 38 feet) of vertical dimension.</p>
<p><i>5. Large walls, horizontal dimension maximum:</i></p> <p>No wall surface shall be more than two hundred (200) feet long without a "break" (a break shall be an interruption of the building wall plane with either a recess or an offset measuring at least twenty (20) feet in depth, and one-quarter of the building in length. The offset angle constituting the "break" recess shall be between ninety (90) degrees and forty-five (45) degrees to the wall).</p>	<p>Increase from 200 feet to:</p> <p>228 feet for Building B;</p> <p>232 feet for Building C; and</p> <p>Allow an interpretation that a curved building façade with a length of 200 feet or more meets the intent of the 20-foot recess/offset standard.</p>

<p><i>6. Building envelope:</i></p> <p>Starting at a point 26 feet above the building setback line, the inclined stepback plane slopes at 1:1 up to a height of 38 feet, then 2:1 thereafter on all sides of a property. Maximum vertical encroachment of 15 feet permitted on a maximum of 25% of the length of an elevation.</p>	<p>Increase vertical encroachment from 15 feet to 18 feet into the stepback plane for the 100% (rather than 15%) of the length of Building A.</p>
<p><i>7. Building lines:</i></p> <p>Minimum 25% of area of front building face below 26 feet shall be at the front building setback. At first level, minimum 25% of width of projected street elevation must be at least 10 feet behind front building setback.</p>	<p>Allow the building face to be at the setback line without additional setback for Goldwater Blvd frontage of Building A and Building D.</p>
<p><i>8. Private outdoor living space:</i></p> <p>Ground floor units must have a minimum dimension of 10 feet. Upper floor units minimum dimension of 6 feet with minimum area of 60 feet.</p>	<p>Reduce the required private outdoor living area to an average area of 50 square feet.</p>
<p><i>9. Building projections into a required setback:</i></p> <p>Maximum 2 feet for: fireplaces, chimneys, cornices, eaves, ornamental features;</p> <p>Maximum 2½ feet for bay windows;</p> <p>Maximum 4 feet for: balconies, stairs, canopies, awnings, covered porches.</p> <p>Maximum 5 feet for: uncovered porches, terraces, platforms, underground garages, patios,</p>	<p>Increase the allowable projections from 2 - 4 feet to maximum of 8 feet.</p>

The applicant's justification for each of the proposed ASDS is included in the Project Narrative. Staff has provided a narrative analysis of the proposed ASDS below:

1. Front building setback (request reduction from 30 feet to 20 feet from curb line of Goldwater Blvd at deceleration lane, and increase from 30 feet to 35 feet in other areas along Goldwater Blvd):

The intent of the setback is to create a pedestrian environment in the area. The site's primary vehicular entrance is located on Goldwater Boulevard, and a westbound deceleration lane is necessary. Currently approved stipulations of the PBD allow for a reduced setback of 18 feet at the deceleration lane to ensure adequate space for the lane. The request is to allow a 20-foot setback along Goldwater on both sides of the main entrance.

The request also includes increasing the setback to 35 feet at the property's southeast corner. While the street frontage west of the entrance includes sidewalk, the area to the east cannot accommodate that amenity because of the existing topography and bridge. As a result, the first floor of the building that fronts this portion of the street will be below the Goldwater street level.

2. Building size maximum (request increase from 350' to 440' on Building B west elevation, and an increase from 550' to 668' on Building B east and north elevations combined dimensions)

The intent of this standard is to break up building massing to give the appearance of a smaller scaled building. The first floor of Building B's west elevation is proposed at 440 feet long, including an 80-foot-long single-story portion. Near the center of the west elevation is an 80-foot break where the 4-story building steps down to 2-stories, giving the appearance of multiple buildings. The west elevation of Building B is located on the interior of the site and is not visible from public streets or the adjacent residential community.

Building B's combined adjacent sides are 668 feet long on the first and second floors only, which are not visible from public streets. The massing of Building B is sufficiently broken up to give the appearance of several, smaller scale buildings.

3. Spacing Between Buildings Minimum (request an increase of the previously approved amendment from 8 feet to 24 feet minimum)

The general intent of the spacing between buildings minimum standard is to separate tall building masses that are on the same site in order to ensure that appropriately sized open spaces are provided between buildings. The standard is for a separation equivalent to 10% of the total combined length of a building's two longest sides. All proposed buildings comply with the standard, with the exception of required 67-foot separation from Building B. Where it abuts Building A and Building C, the proposed separation ranges from 24 feet to 52 feet.

Currently approved stipulations of the PBD allow a minimum eight-foot separation. The request is for a minimum 24-foot separation. While the proposed separation is less than established by the standard, the proposal compensates by providing substantially more overall open space throughout the site than required for Downtown developments.

4. Large Walls, vertical dimension maximum (request modification to require stepped back for every foot above 50 feet, rather than 38 feet, of vertical dimension)

The general intent of the large walls, vertical dimension maximum is to break up building masses by requiring portions of walls above 38 feet high to be stepped back at 1:2 for every foot of height that is in excess of 38, and to limit such a wall to less than 50% of the building elevations that front streets or alleys.

Currently approved stipulations of the PBD allow an unbroken vertical wall plane for up to 58 feet in height. As part of the update of the Downtown ordinance, this development standard is proposed to be amended to allow an unbroken vertical wall plane for up to 45 feet in height.

The request is to allow an unbroken vertical wall plane on Building A south elevation for up to 50 feet in height for the entire length of the Goldwater elevation. The west half of Building A has 4-stories above ground, and due to the existing topography it will be 38 feet high as measured from the street. Therefore, the visual effect is limited to 50% of the building elevation fronting the street.

The east half of Building A includes five levels above ground, with a total height of 50 feet above the street. The proposed height is 15 feet less than the maximum allowed in the PBD. Under the draft Downtown Ordinance, the inclined stepback would only be applied to the top 5-foot portion of Building A above the 45-foot level. Since a pedestrian experience is not possible along this portion of Goldwater Boulevard, a lack of inclined stepback has less impact.

5. Large Walls, horizontal dimension maximum (request an increase from 200 feet to 228 feet for Building B; 232 feet for Building C; and an interpretation on the 20-foot recess/offset standard)

The general intent of the large walls, horizontal dimension maximum is to break up building masses by requiring that walls over 200 feet in length be recessed or offset at least 20 feet in depth for a distance of one-quarter of the building length.

Buildings B and C have portions of their respective elevations that span over 200 feet without a break. These elevations are highly articulated with balconies and awnings that give the visual appearance of a break, and are interior to the site, and thus have limited visibility from public view.

With regard to Building A, the applicant is also requesting an interpretation that a curved building façade with a length of 200 feet or more meets the intent of the standard pertaining to the 20-foot recess/offset. Such an interpretation was made with regard to the proposed Valley Ho expansion. This building is also highly articulated to give the visual appearance of a break. Since a pedestrian experience is not possible along this portion of Goldwater Boulevard, the lack of offset has less impact.

6. Building envelope (request increase vertical encroachment from 15 to 18 feet into the stepback plan for 100%, rather than 25%, of the length of Building A)

The intent of this standard is to break up building massing with the inclined stepback to give the appearance of a smaller scaled building, while allowing a small amount of vertical encroachment into the stepback plane to promote design flexibility.

As part of the update of the Downtown ordinance, this development standard is proposed to be amended to require a 1:1 stepback for building heights between 30 and 45 feet, and an inclined stepback of 2:1 for building heights exceeding 45 feet.

The west half of Building A has four stories above ground, and due to the existing topography will be 38 feet high as measured from the street. The east half of Building A has five levels above ground, and due to the existing topography will be 50 as measured from the street.

Visually, only the east half of the Goldwater elevation would rise above the height at which an inclined stepback would be expected under the draft Downtown ordinance. Under the draft

Downtown ordinance, a small portion of the fifth level loft would be subject to the inclined stepback. The proposed building height of 50 feet is 15 feet less than the maximum allowed in the PBD. Since a pedestrian experience is not possible along this portion of Goldwater Boulevard, a lack of inclined stepback has less impact.

7. Building lines (request to allow the building face to be at the setback line without additional setback for Buildings A and D frontage along Goldwater Blvd.)

The intent of this standard is to promote a pedestrian scale environment and activate the street with varied planes along the street elevations. Due to the existing topography and bridge, it is not possible to provide a pedestrian experience along the portion of Goldwater Boulevard located east of the main entry along the Building A frontage. Building A ground floor units will be below the street elevation, and as such, are set back to allow room for private outdoor patios. The Building D street frontage will include an 8-foot-wide sidewalk, as well as a transit stop immediately west of the main entrance to the site. The proposed building setback at this location will accommodate an enhanced pedestrian experience.

Currently approved stipulations of the PBD allow this modification.

8. Private outdoor living space (request reduction to average 50 square feet per unit)

The intent of this standard is to ensure Downtown residents have access to open space since common open space is not required of Downtown residential developments. The request is to reduce the amount of required private open space from 60 square feet to an average of 50 square feet.

Though not required, the proposed project includes a substantial amount of common open space dispersed throughout the site such that every unit has direct physical and/or visual access to open space such as courtyards, outdoor pools, and view corridors.

9. Building projections (request increased allowed projections from 2 – 4 feet to maximum of 8 feet)

The intent of this standard is to promote design flexibility by allowing certain architectural elements to project slightly into a required setback area. The request is to allow certain architectural elements of Building A (specifically balconies, stairs, canopies, awnings and covered porches) that would ordinarily be allowed to project between two and four feet to deviate further and be allowed to project a maximum of eight feet into the setback along the Goldwater Boulevard frontage, as well as the east elevation of Building B where it abuts the curved portion of Portales Place. The requested amendment provides design flexibility to create visual interest, and creates additional shade on the south elevation via canopies, awnings, covered porches.

Because there is no pedestrian experience along this section of Goldwater Boulevard, the impact is less than it would be under normal circumstances.

Traffic

Construction of the multi-family development plan for the proposed site will result in an estimated 2,454 trips generated per day to and from the project site. The development is estimated to

generate 188 a.m. peak hour trips, and 239 p.m. peak hour trips. This represents an increase from the previously approved development plan for the site, but when the overall Portales master planned development is considered, this represents only a slight increase from the approved land uses in 2005 and a significant decrease from the land uses approved in 2000.

With the addition of the proposed site generated traffic, operations at the signalized intersection of Scottsdale Road and Chaparral Road will continue to operate at acceptable levels (LOS C during the a.m. peak hour and LOS D during the p.m. peak hour). The eastbound approach to the intersection operates at LOS E. The addition of a right-turn lane at the intersection improves average vehicle delay, but does not improve the overall level of service.

Due to neighborhood concerns about commercial/office traffic on Chaparral Road back in the year 2000 and prior, the currently approved site plan (76-ZN-1985#3) precludes vehicular access from the Portales commercial/office complex onto Chaparral Road at 70th Place. To date, neighbors continue to express concern in that regard. Thus, for the newly proposed development, a similar stipulation was included which requires full vehicular access into and out of the site for residential traffic, and prohibits vehicular access onto Chaparral Road at 70th Place for commercial/office traffic from the Portales commercial/office complex to the east. The Planning Commission recommended deletion of this proposed stipulation. Additional stipulations are included that require the developer to improve the south side of Chaparral Road east of 69th Place to west of 71st Street, consistent with the plans prepared by the City of Scottsdale entitled Chaparral Road 68th Place to Scottsdale Road dated May 2007.

Water/Sewer

The City's Water Resources Department has reviewed the application. The applicant will be required to submit Basis of Design Reports (Water and Wastewater) with the final design for the development connection and any additional infrastructure impacts. The owner will be responsible for necessary infrastructure improvements to upgrade the existing water, and sewer system (including fire hydrants, etc.) in order to accommodate increase in capacity necessary to accommodate the proposed development.

Stormwater

The City's Stormwater Department has reviewed the application. The applicant will be required to extend the existing storm drain in Chaparral Road from the existing storm drain near 71st Street to a point west of the proposed site driveway on Chaparral Road. Additionally, the development will be required to pay a stormwater storage waiver in-lieu fee as requested as part of the approved preliminary drainage report prepared by the applicant's civil engineer, Kimley-Horn, dated 12-11-11.

Public Safety

The Fire Department has reviewed this application and finds that there is adequate ability to provide fire and emergency services. The nearest fire station is located at 7522 East Indian School Road, and the nearby police station is located at 3700 North 75th Street.

School District Comments/Review

The School District has reviewed the proposal and determined that it has adequate facilities to accommodate the projected number of additional students generated by the proposed development within the School District's attendance area.

Open Space

The request is to reduce the amount of required private open space for each residential unit from 60 square feet to an average of 50 square feet. Though not required, the proposed project includes a substantial amount of common open space dispersed throughout the site such that every unit has direct physical and/or visual access to open space such as courtyards, outdoor pools, and view corridors. The Development Review Board recommends approval of the reduction in private open space.

Community Involvement

Surrounding property owners within 750 feet have been notified by the City and the site has been posted. The applicant has notified property owners within 750 feet of the site area, and held open house meetings on December 1st and December 6th, 2011. Also, the applicant has met with several of the adjacent property owners and individuals one-on-one. Staff has received from citizens a number of phone calls and written communications expressing concern about the proposed development, primarily with regard to increased density and traffic impacts on Chaparral Road, the intersection of Scottsdale/Chaparral Road. Written communications are attached.

Community Impact

The proposed development will introduce a new, multi-family residential development on a vacant site that is sandwiched between commercial and single-family residential land uses. Located 400 feet from Scottsdale Fashion Square, the proposed multi-family residential development will provide a large number of residential units (369) to support existing and future retail and commercial uses in the Downtown area. At 38.5 units/acre, the proposed density, setbacks and building heights will be reasonably compatible with the surrounding single-family residential (approximately 3 units/acre), as it transitions the urban core buildings in the Downtown Area.

Impacts to infrastructure, such as stormwater, water/sewer and traffic, will be mitigated as noted above. As explained above, traffic impacts are anticipated to be an increase over the currently approved plan (76-ZN-1985#3) for the 9.6-acre site, but when the overall Portales master plan development is considered, this represents only a slight increase from the approved land uses in 2005.

OTHER BOARDS & COMMISSIONS

Development Review Board

The Development Review Board reviewed the application on February 12, 2012 for purposes of making a recommendation on the proposed Amended Site Development Standards (ASDS), and voted unanimously to recommend approval of the proposed ASDS.

Planning Commission

The Planning Commission reviewed the application on March 14, 2012 and recommended that the City Council find that the Planned Block Development criteria have been met and that the zoning map amendment is consistent with the adopted General Plan, and recommended that City Council approve a request to modify the original zoning stipulations and amended development standards (case 76-ZN-1985#3), and approve a new development plan for 369 multi-family residential units on a 9.6± acre vacant portion of the 40-acre Planned Block Development at 5000 Portales Place in the

Downtown/Regional Commercial Office Type 2, Planned Block Development/Downtown Overlay (D/RCO-2 PBD/DO) zoning district.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

1. Adopt Ordinance No. 4013 approving to modify the original zoning stipulations and amended development standards (case 76-ZN-1985#3) and a new development plan for 369 multi-family residential units on a 9.6± acre vacant portion of the 40-acre Planned Block Development, finding that the Planned Block Development criteria have been met and that the zoning map amendment is consistent with the adopted General Plan at 5000 Portales Place in the Downtown/Regional Commercial Office Type 2, Planned Block Development/Downtown Overlay (D/RCO-2 PBD/DO) zoning district.
2. Adopt Resolution No. 9040 declaring "Portales Residential Development Plan", as a public record.

RESPONSIBLE DEPARTMENT

Planning, Neighborhood and Transportation

Current Planning Services

STAFF CONTACT

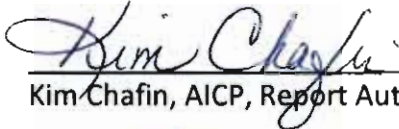
Kim Chafin, AICP, LEED-AP

Senior Planner

480-312-7734

E-mail: kchafin@ScottsdaleAZ.gov

APPROVED BY


Kim Chafin, AICP, Report Author

4-26-12
Date


Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

4/26/2012
Date


Connie Padian, Administrator
Planning, Neighborhood and Transportation
480-312-2664, cpadian@scottsdaleaz.gov

4/26/12
Date

ATTACHMENTS

1. Ordinance No. 4013
Exhibit 1. Stipulations
Exhibit A to Exhibit 1: Improvement Plans "Chaparral Road – 68th Place to Scottsdale Road" dated 5/07, prepared by City of Scottsdale
Exhibit 2. Zoning Map
2. Resolution No. 9040
3. Applicant's Narrative
4. Context Aerial
- 4A. Aerial Close-Up
5. Downtown Plan Map
6. Traffic Impact Summary
7. Citizen Involvement
8. City Notification Map
9. March 14, 2012 Planning Commission Minutes
Development Plan
10. Site Plan
11. Applicant's Narrative
12. Building Elevations
13. Amended Development Standards Justification with Exhibits
14. Amended Development Standards

ORDINANCE NO. 4013

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF AMENDING THE PRIOR ZONING CASE STIPULATIONS AND APPROVING A NEW DEVELOPMENT PLAN, WHICH INCLUDES APPROVING: 1) AN AMENDED SITE PLAN; 2) AMENDED DEVELOPMENT STANDARDS FOR A 369-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON A 9.66 ACRE PORTION OF AN EXISTING 40 +/- ACRE PARCEL IN CASE 76-ZN-1985#6 LOCATED AT 5000 PORTALES PLACE WITH DOWNTOWN DISTRICT, REGIONAL COMMERCIAL OFFICE TYPE 2, PLANNED BLOCK DEVELOPMENT, DOWNTOWN OVERLAY (D/RCO-2, PBD DO) ZONING.

WHEREAS, the Development Review Board held a public meeting on February 2, 2012 and made the required recommendations; and

WHEREAS, the Planning Commission held a public hearing on March 14, 2012 and made the required findings and recommendations of the PBD Overlay District; and

WHEREAS, the City Council held a hearing on May 8, 2012 and finds:

1. That the amendment to the development plan is consistent with the adopted downtown plan and other applicable policies and that it is compatible with development in the area it will directly affect.
2. That the amendment to the development plan contributes additionally, beyond the underlying regulations, to the urban design objectives articulated for downtown, and that deviations from the regulations that would otherwise apply are justified by compensating benefits of the development plan.
3. That the amendment to the development plan includes adequate provisions for utilities, services, and emergency vehicle access, and, if warranted, connections between underground parking facilities.
4. That projected traffic generated by the amendment to the development plan will not exceed the capacity of affected streets.
5. That the amendment to the development plan will not significantly increase solar shading of adjacent land in comparison with development under prevailing regulations.

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development.

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 76-ZN-1985#6.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended on a 9.66 +/- acre of an existing 40 +/- acre parcel located at 5000 Portales Place, marked as "Site" (the Property) on the map attached as Exhibit 2, with Downtown District, Regional Commercial Office Type 2, Planned Block Development, Downtown Overlay (D/RCO-2, PBD DO) zoning by: 1) approving Case No. 76-ZN-1985#6 and amending the prior zoning case stipulations and approving a new Development Plan, which includes approving: 1) an amended site plan; and 2) amended Development Standards to include but not limited to increase density, by adopting that certain document entitled "Portales Residential Development Plan including the Development Standards" declared a public record by Resolution No. 9040, which is incorporated into this ordinance by reference as if fully set forth herein.

Section 2. That the above approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1.

PASSED AND ADOPTED by the Council of the City of Scottsdale this ____ day of May, 2012.

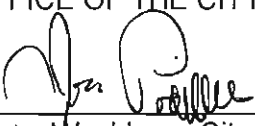
ATTEST:

CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Joe Padilla, Senior Assistant City Attorney

Stipulations for the Zoning Application:

Portales Residential

Case Number: 76-ZN-1985#6

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

Changes made by Planning Commission shown in ~~strike through~~ and BOLD CAPS.

Changes Made After Planning Commission Shown in **BOLD ITALIC CAPS**

SITE DESIGN

1. **INCORPORATED EXHIBITS. THE FOLLOWING EXHIBITS ARE ON FILE WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND MADE A PUBLIC RECORD AS EXHIBITS TO "PORTALES RESIDENTIAL DEVELOPMENT PLAN INCLUDING THE DEVELOPMENT STANDARDS" BY RESOLUTION NO. 9040, AND ARE INCORPORATED INTO THESE STIPULATIONS BY THIS REFERENCE:**

EXHIBIT 1: SITE PLAN SUBMITTED BY ALEJANDRO H. GARCIA ARCHITECT AND WITH THE CITY STAFF DATE OF 1-24-12.

EXHIBIT 2: PORTALES RESIDENTIAL - AMENDED DEVELOPMENT STANDARDS WITH THE CITY STAFF DATE OF 12/19/2011.

2. CONFORMANCE TO CONCEPTUAL ~~DEVELOPMENT~~ SITE PLAN. Development shall conform with the conceptual site plan submitted by Alejandro H. Garcia Architect and with the city ~~STAFF DATE OF 1-24-12, ATTACHED AS EXHIBIT A TO~~ **EXHIBIT 1 TO RESOLUTION NO. 9040**. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. MAXIMUM DWELLING UNITS/MAXIMUM DENSITY. Maximum dwelling units and maximum density shall be as indicated on the Land Use Budget Table below.

Land Use Budget Table				
Parcel	Gross Acres	Zoning	Max DU/AC	Max # of Units / Lots
Assessor's Parcel Number 173-33-186	9.6	D/RCO-2 PBD/DO	38.49 Max DU/AC	369 units maximum# of Units for the parcel

4. CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. Development shall conform with the amended development standards **DETAILED IN EXHIBIT 2 TO RESOLUTION NO. 9040** ~~WITH THE CITY STAFF DATE OF 12-19-2011, ATTACHED AS EXHIBIT C TO EXHIBIT 1.~~ Any change to the development standards shall be subject to additional public hearings before the Planning Commission and City Council.
5. BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed 50 feet in height, measured as provided in the applicable section of the Zoning Ordinance, as shown on the conceptual site plan attached as ~~EXHIBIT A TO EXHIBIT 1 TO~~ **RESOLUTION NO. 9040.**

INFRASTRUCTURE AND DEDICATIONS

6. CIRCULATION IMPROVEMENTS. Before any certificate of occupancy is issued for the site, the owner shall make the required dedications and provide the following improvements in conformance with the Design Standards and Policies Manual and all other applicable city codes and policies.

- a. STREETS. Dedicate the following right-of-way and construct the following street improvements:

Street Name	Street Type	Dedications	Improvements	Notes
Chaparral Road	Minor Collector	Dedications must	Reconstruct the	a.1

		be consistent with the plans prepared by City of Scottsdale entitled Chaparral Road 68th Place to Scottsdale Road dated May 2007 (EXHIBIT BA TO EXHIBIT 1 OF ATTACHMENT 1 ORDINANCE NO. 4013).	Chaparral Road per plans prepared by City of Scottsdale entitled Chaparral Road 68 th Place to Scottsdale Road dated May 2007 (EXHIBIT BA TO EXHIBIT 1 OF ATTACHMENT 1 ORDINANCE NO. 4013).	a.2. b. d.
Goldwater Boulevard	Major Collector	Existing	None	a.2., b.,c.

- a.1. Provide in-lieu payment per stipulation #8 below.
 - a.2. Provide a non-motorized public access easement along Chaparral Road and Goldwater Boulevard for any locations where sidewalk extends outside of the public right-of-way.
 - b. VEHICLE NON-ACCESS EASEMENT. Dedicate a one foot wide vehicular non-access easement on Chaparral Road and Goldwater Boulevard except at the approved street entrance(s).
 - c. AUXILIARY LANE. Dedicate the necessary right-of-way, as determined by city staff, and construct right-turn deceleration lanes at the proposed site driveway on Goldwater Boulevard. The proposed Goldwater Boulevard acceleration lane shown on the site plan shall be deleted.
 - d. Street improvement construction on Chaparral Road will consist of all improvements to the southerly curb line from east of 69th Place to west of 71st Street, plus all approach improvements at the intersection of Chaparral Road and 70th Place. Construction shall also include all work necessary to construct an eastbound right-turn lane at the intersection of Chaparral Road and Scottsdale Road. These improvements shall be based upon the design shown on the plans prepared by the City of Scottsdale entitled Chaparral Road 68th Place to Scottsdale Road dated May 2007 (~~EXHIBIT BA~~ **TO EXHIBIT 1 OF ORDINANCE NO. 4013**).
7. TRANSIT FACILITIES. Before any certificate of occupancy is issued for the site, the owner shall construct a bus bay and stop facilities (landscaping, bench, trash can, etc.) in the vicinity of the Goldwater Boulevard driveway, to the satisfaction of the Transit Manager.
 8. PEDESTRIAN CIRCULATION PLAN. With the Development Review Board submittal, the developer shall submit a pedestrian circulation plan for the site, which shall be subject to City staff approval. This plan shall indicate the location and width of all sidewalks and pedestrian pathways. All internal sidewalks shall be a minimum width of six feet. All sidewalks ~~ALONG CHAPARRAL ROAD AND~~ Goldwater Boulevard shall be a minimum width of eight feet.
 9. IN LIEU PAYMENTS. Before any building permit is issued for the site, if directed by city staff, the owner shall make an in-lieu payment to the city instead of constructing specified street improvement(s). Before any final plan approval, the owner shall submit an engineer's estimate ~~FOR PLAN PREPARATION, DESIGN AND~~ construction costs, subject to city staff approval.
 10. ACCESS RESTRICTIONS. Access to the site shall conform to the following restrictions (distances are measured to the driveway or street centerlines):
 - a. Direct site access to Chaparral Road shall align with 70th Place ~~AND SHALL BE RESTRICTED TO RESIDENTIAL ACCESS ONLY~~. The intersection shall be designed to allow full access ~~IN~~ to the site ~~AND ONLY RIGHT TURN ACCESS OUT OF THE SITE~~. The intersection shall be designed, **INCORPORATING THE RIGHT TURN ONLY EGRESS**, in accordance with the concept developed by the City of Scottsdale shown on the Chaparral Road Improvement Plans 68th Place to Scottsdale Road dated May 2007 (~~EXHIBIT BA~~ **TO EXHIBIT 1 OF ORDINANCE NO. 4013**). ~~THIS ACCESS SHALL BE GATED TO PROHIBIT ANY INGRESS OR EGRESS FROM THE PORTALES OFFICE OR COMMERCIAL DEVELOPMENT EAST~~

OF THE SITE.

- b. There shall be a maximum of one site driveway from Goldwater Boulevard as shown on site plan prepared by Alejandro H. Garcia with a city staff receipt date of January 24, 2012 ~~(EXHIBIT A TO~~ **(EXHIBIT 1 TO RESOLUTION NO. 9040)**. This access shall be restricted to right-in, right-out only (one-way street operation).
- c. **AFTER CONSTRUCTION OF THE IMPROVEMENTS NOTED IN PARAGRAPHS 9.a. ABOVE, AND DURING THE FUTURE DESIGN AND CONSTRUCTION OF THE REMAINING CHAPARRAL ROAD IMPROVEMENT PLANS 68TH PLACE TO SCOTTSDALE ROAD DATED MAY 2007, CITY STAFF MAY REVIEW AND MODIFY THOSE IMPROVEMENTS AND ACCESS RESTRICTIONS AS DEEMED NECESSARY AND BASED ON NEIGHBORHOOD INPUT.**

~~11. TRAFFIC SIGNAL PARTICIPATION. BEFORE ANY BUILDING PERMIT IS ISSUED FOR THE SITE, THE OWNER SHALL PAY TO THE CITY 100% OF THE DESIGN AND CONSTRUCTION COSTS, AS DETERMINED BY CITY STAFF, FOR ANY MODIFICATIONS TO THE EXISTING TRAFFIC SIGNAL ASSOCIATED WITH CONSTRUCTION OF THE RIGHT TURN LANE AT THE INTERSECTION OF CHAPARRAL ROAD AND SCOTTSDALE ROAD.~~

12. DRAINAGE REPORT. In the required drainage report, the owner shall address, prior to submittal of final improvement plans:
- a. Prepare a final drainage improvement plan and report that demonstrates compliance with the approved preliminary case drainage report prepared by Kimley Horn dated 12-11-11 (Plan Check #2008-11-1).
 - b. Extend the existing storm drain in Chaparral Road from the existing storm drain near 71st Street to a point west of the proposed site driveway on Chaparral Road.
 - c. Pay a Storm Water Storage Waiver in-lieu fee as requested as part of the approved preliminary drainage report prepared by Kimley Horn dated 12-11-11 (Plan Check #2008-11-1).

13. BASIS OF DESIGN REPORT (WATER and WASTEWATER). In the required basis of design report, the owner shall address :
- a. Water and sewer Basis of Design reports must be reviewed and approved by the Water Resources Department prior to submittal of improvement plans to the One-Stop Shop.
 - b. The owner shall dedicate a 20-foot wide water line easement along the drive loop, and provide at least one domestic meter per building and landscape meters as needed.
 - c. The developer, at its expense, shall provide all sanitary sewer lines and wastewater related facilities necessary to serve the site. Sanitary sewer lines and wastewater related facilities shall conform to the City Wastewater System Master Plan.
 - d. Prior to issuance of building permits for the site, the developer shall dedicate to the City all sewer easements necessary to serve the site.

14. WASTEWATER.

- a. The property owner, at its expense, shall provide all sanitary sewer lines and wastewater related facilities necessary to serve the site. Sanitary sewer lines and wastewater related facilities shall conform to the City Wastewater System Master Plan.
- b. Prior to issuance of building permits for the site, the developer shall dedicate to the City all sewer easements necessary to serve the site.

15. WATER.

- a. The property owner, at its expense, shall provide all water lines and water related facilities necessary to serve the site. Water line and water related facilities shall conform to the City Water System Master Plan.
- b. Prior to issuance of building permits for the site, the developer shall dedicate to the City all water easements necessary to serve the site.
- c. Any water feature must be reviewed and approved by the Water Resources Department prior to issuance of building permits.

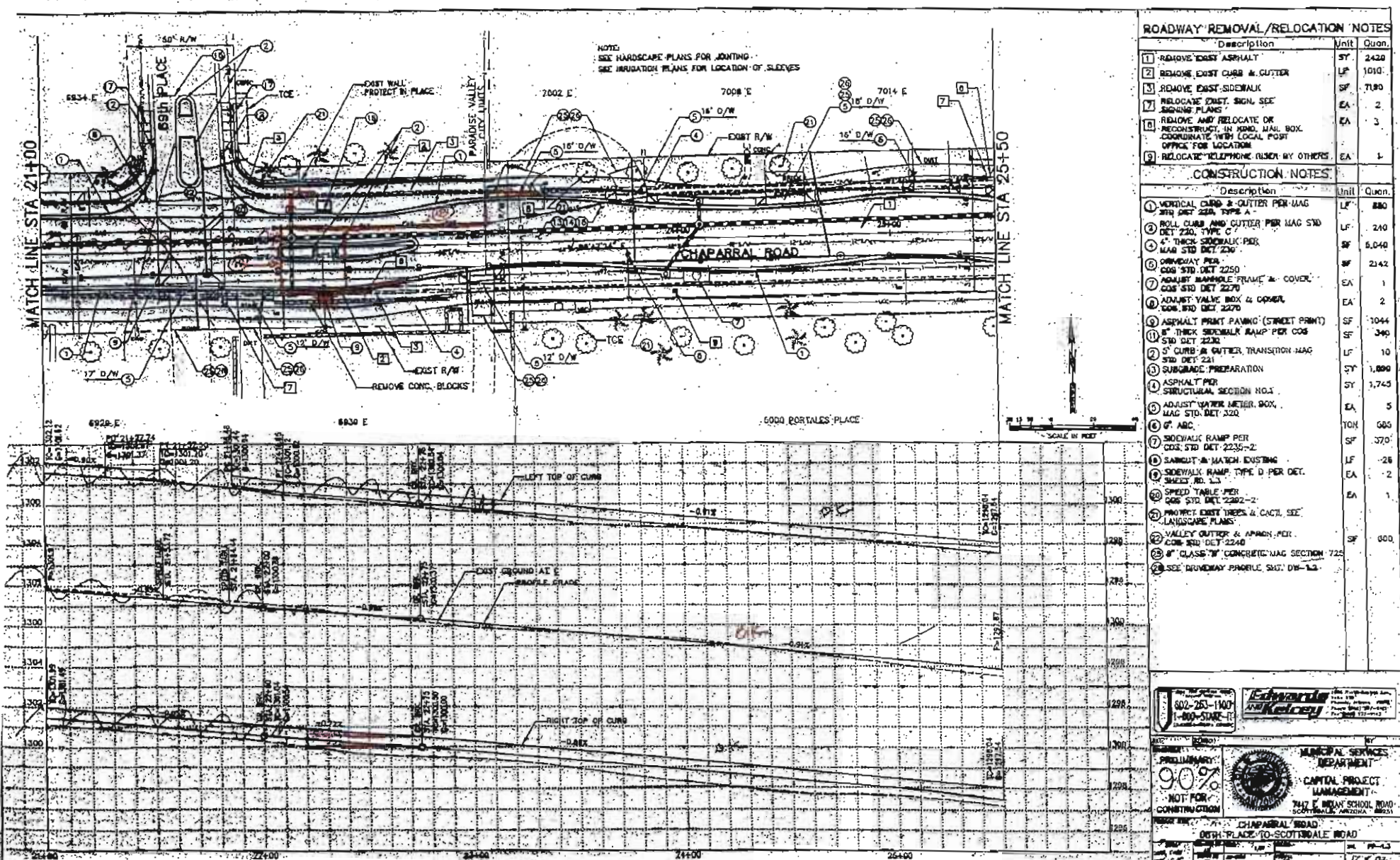
Additional Information for:

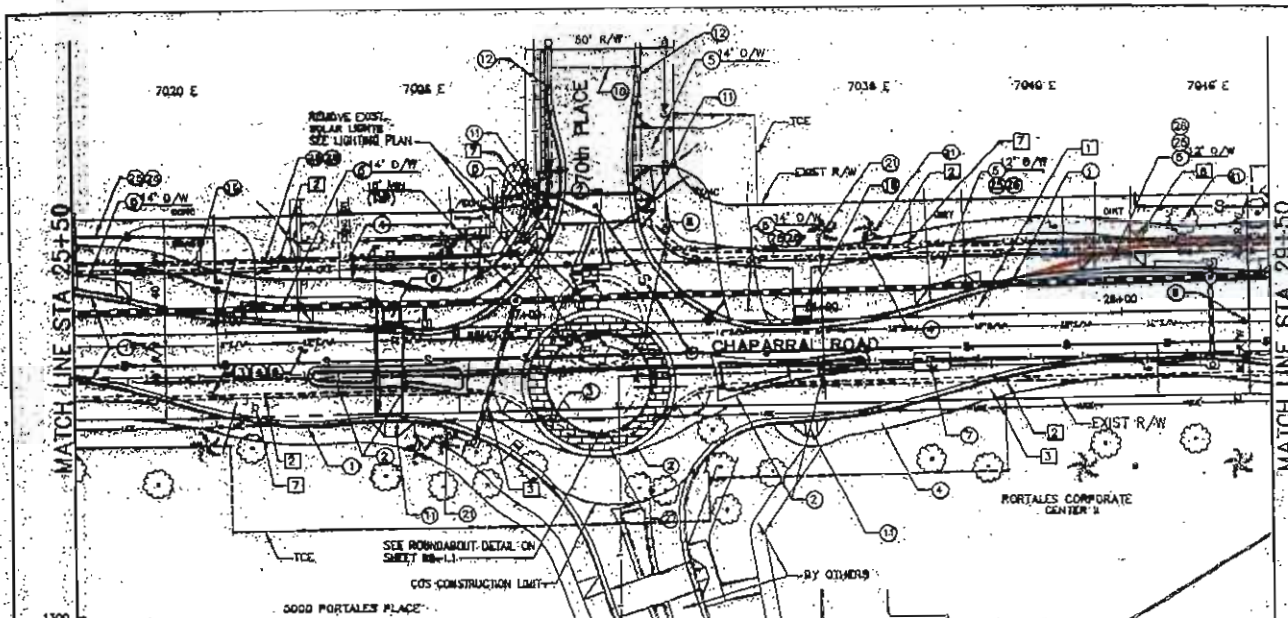
Portales Residential

Case: 76-ZN-1985#6

PLANNING/DEVELOPMENT

1. **DEVELOPMENT CONTINGENCIES** Each element of this zoning case—including density, unit placement, access and other development contingencies—may be changed as more information becomes available to address public health, safety and welfare issues related to drainage, open space, infrastructure and other requirements.
2. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to:
 - a. solid waste collection locations,
 - b. van loading locations,
 - c. perimeter dense landscape buffers and streetscape,
 - d. pedestrian environment,
 - e. parking garage ramp turning radius,
 - f. fire truck route through the site with 55-foot turning radius,
 - g. wall design,
 - h. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - i. improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
 - j. major stormwater management systems, and
 - k. signage locations.
3. **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE.** The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
4. **FEES.** The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
5. **EASEMENTS.**
 - a. **EASEMENTS DEDICATED BY PLAT.** The owner shall dedicate to the city on the final plat, all easements necessary to serve the site, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
 - b. **EASEMENTS CONVEYED BY SEPARATE INSTRUMENT.** Before any building permit is issued for the site, each easement conveyed to the city separate from a final plat shall be conveyed by an instrument or map of dedication subject to city staff approval, and accompanied by a title policy in favor of the city, in conformance with the Design Standards and Policies Manual.
6. **CONSTRUCTION COMPLETED.** Before any BUILDING PERMIT is issued for the site, the owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations, in conformance with the Design Standards and Policies Manual and other applicable standards.





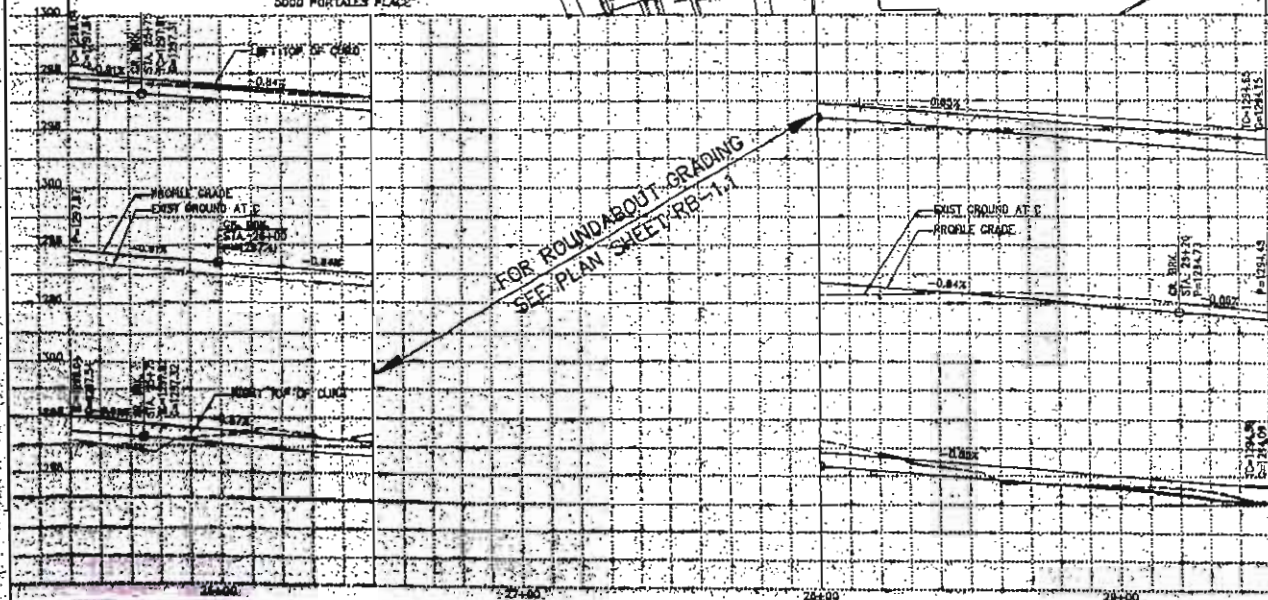
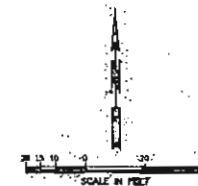
NOTE:
SEE LANDSCAPE PLANS FOR JOINTING
SEE IRRIGATION PLANS FOR LOCATION OF SLEEVES

ROADWAY REMOVAL/RELOCATION NOTES

Description	Unit	Quant
1 REMOVE EXIST. ASPHALT	SY	2,170
2 REMOVE EXIST. VERTICAL CURB	LF	840
3 REMOVE EXIST. SIDEWALK	SF	1,400
4 RELOCATE EXIST. SIDEWALK	EA	4
5 REMOVE AND RELOCATE OR RECONSTRUCT IN-Road, MAN. HOE. COORDINATE WITH LOCAL POST. OFFICE FOR LOCATION	EA	1

CONSTRUCTION NOTES

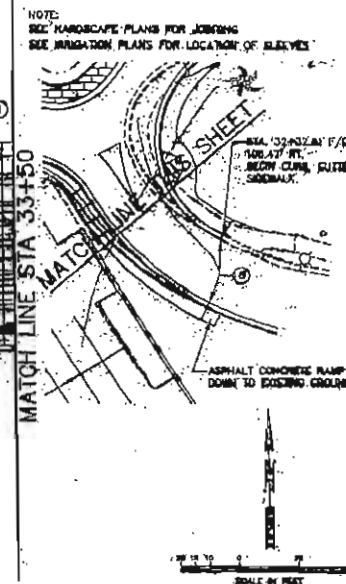
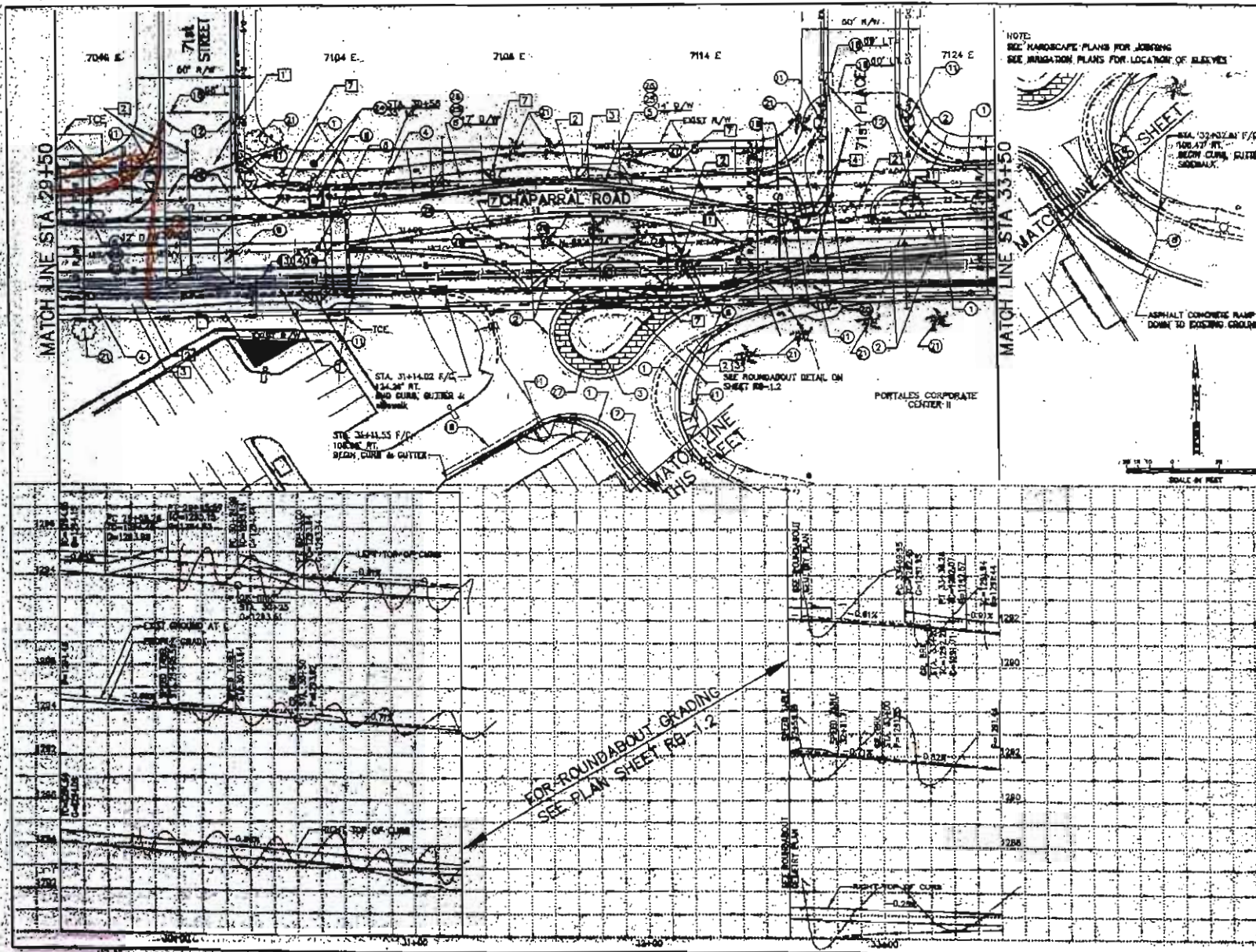
Description	Unit	Quant
1 VERTICAL CURB & GUTTER PER MAG STD DET 220, TYPE A	LF	840
2 ROLL CURB AND GUTTER FOR MAG STD DET 220, TYPE C	LF	390
3 SINGLE CURB FOR MAG STD DET 222, TYPE A	LF	100
4 6" THICK SIDEWALK PER MAG STD DET 230	SF	4,920
5 DRIVEWAY PER COS STD DET 2230	SF	1,560
6 SURVEY ALIGNMENT PER MAG STD DET 120-L, TYPE B	EA	1
7 ADJUST MANHOLE FRAME & COVER COS STD DET 2270	EA	1
8 ADJUST VALVE BOX & COVER COS STD DET 2270	EA	3
9 12" THICK SIDEWALK RAMP PER COS STD DET 2232	SF	520
10 SUBGRADE PREPARATION	SY	2,000
11 ASPHALT PER STRUCTURAL SECTION NO. 1	SY	1,700
12 ADJUST WATER METER BOX MAG STD DET 320	EA	1
13 8" ABC	TON	595
14 SLOPE & MATCH EXISTING	LF	30
15 SIDEWALK RAMP TYPE C PER DET. SHEET RD 3.3	EA	2
16 PROTECT EXIST. TIES & CATCH SEE LANDSCAPE PLANS		
17 8" CLASS 'D' CONCRETE MAG SECTION 722		
18 SEE DRIVEWAY PROFILE		
19 8" THICK DECORATIVE CONCRETE	SF	790



90%
NOT FOR CONSTRUCTION



CHAPARRAL ROAD
80TH PLACE TO SOUTHERLAND ROAD
15' x 02'



ROADWAY REMOVAL/RELOCATION NOTE:

Description	Unit	Quan.
1) REMOVE EXIST ASPHALT	SY	2280
2) REMOVE EXIST VERTICAL CURB & GUTTER	LF	1105
3) REMOVE EXIST SIDEWALK	SF	1795
4) REMOVE EXIST SINGLE CURB	LF	250
5) REMOVE EXIST ROAD	LF	350
6) RELOCATE EXIST SIGN, SEE SHOWING PLANS	EA	5
7) REMOVE TREE		

CONSTRUCTION NOTES:

Description	Unit	Quan.
1) VERTICAL CURB & GUTTER PER MAG	LF	980
2) ROLL CURB AND GUTTER PER MAG STD	LF	800
3) SINGLE CURB PER MAG STD DET 222, TYPE A	LF	100
4) 4" THICK SIDEWALK PER MAG STD DET 220	SF	4220
5) DRIVEWAY PER COS STD DET 225B	SF	890
6) SURVEY MONUMENT PER MAG STD DET 120-1, TYPE B	EA	1
7) ADJUST VALVE BOX & COVER, COS STD DET 220B	EA	7
8) ASPHALT PAVEMENT (STREET PRINT)	SF	1587
9) 8" BROWN SIDEWALK RAMP PER COS STD DET 223C	SF	1100
10) 2" CURB & GUTTER TRANSITION MAG STD DET 221	LF	15
11) SUBGRADE PREPARATION	SY	2,000
12) ASPHALT PER STRUCTURAL SECTION NO.1	SY	2,010
13) 4" AGO	TON	870
14) SIDEWALK RAMP PER COS STD DET 223B-2	SF	110
15) SANDPIT & WATER EXISTING	LF	150
16) SIDEWALK RAMP, TYPE D PER DET SHEET RD-1.3	EA	1
17) SPEED TABLE PER COS STD DET 220B-2	EA	2
18) VALLEY GUTTER & APRON PER COS STD DET 224B	SF	610
19) PRECAST CAST IRON & CATCH, SEE LANDSCAPE PLANS		
20) RELOCATE TREE (HIDRANT, PER MAG DET 200 & 362	EA	1
21) 8" CLASS "B" CONCRETE MAG SECTION 725		
22) 2" CONC DRIVEWAY, PROFILE SH, DET-1.3	SF	841
23) 1" THICK DECORATIVE CONCRETE	EA	4
24) ROLLED CURB DEPRESSION		

J 412-253-1108
412-253-1109
412-253-1110

Edwards Kelcey

90%
NOT FOR CONSTRUCTION

MUNICIPAL SERVICES DEPARTMENT
CAPITAL PROJECT MANAGEMENT

CHAPARRAL ROAD
OTHER PLACE TO SCOTTSDALE ROAD

RESOLUTION NO. 9040

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "PORTALES RESIDENTIAL DEVELOPMENT PLAN INCLUDING THE DEVELOPMENT STANDARDS."

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "Portales Residential Development Plan including the Development Standards", three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 8th day of May, 2012.

ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Joe Padilla, Senior Assistant City Attorney

Project Narrative

Portales Residential

76 -ZN - 1985 #6

Location: West of the Southwest Corner of Scottsdale & Chaparral

Request for Site Plan Amendment to case 76-ZN-1985 #3

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Date: November 3, 2011

Revised: January 19, 2012

I. Purpose of Request

This request is for a site plan amendment on a 9.5+/- acre site, located west of the southwest corner of Scottsdale Road and Chaparral Road (the "Property"); Goldwater Boulevard borders to the south. The existing zoning is D/RCO-2 PBD DO (Downtown/Regional Commercial Office – Type 2 Planned Block Development Downtown Overlay). The applicant intends to develop a unique luxury multi-family community on the 9.5+/- acre site consistent with the approved zoning, which allows up to 50 dwelling units/ acre.

The site is currently vacant after an uncompleted multi-family project was started in 2007. The proposal is for 369+/- high-end, luxury multi-family residential units (38.5 dwelling units/acre). The applicant is proposing two and four story buildings on site consistent with the maximum height requirements already put in place by the approved zoning case (76-ZN-85#3) in 2000. Although the proposed plan includes more density than the 126 units previously approved application for this site, the proposed height and density is less that allowed under the current D/RCO-2 PBD DO zoning designation.

II. Context/History

Surrounding Uses:

- **North:** Single-family residential, Camelback Park Estates subdivision zoned R1-7
- **East:** Commercial, Portales Corporate Center zoned D/RCO-2 PBD DO
- **South:** Multi-family residential with integrated office and retail, Optima Camelview zoned D/RCO-2 PBD DO
- **West:** Single-family residential, Rancho Vista subdivision zoned R1-7 and R1-10.

The entire 40-acre Portales Master Plan was originally approved in 1985 with a combination of retail, office, hotel and residential uses. Since the original zoning approval, the Portales Corporate Center was developed in 2000 and Optima constructed Optima Camelview starting in 2005 which includes approximately 740+/- residential units with an integrated office/retail component. Optima Camelview is currently selling out its last phase. The subject Property had historically been planned for hotel and multi-family residential development. The most recent zoning case, 76-ZN-1985#3, approved a site plan for multi-family residential in 2000, and although the Property has gone through numerous Development Review Board approvals (the most recent DRB approval was in 2005 by Grace Communities), the land remains vacant.

III. Proposed Development

The proposed plan is a luxury multi-family residential project with a density of 38.5 units/acre with an underground garage in the middle portion of the site. Adjacent to Goldwater Boulevard and Portales Place, the project is four stories, which then tapers down to two story residences on the west and north portions of the site.

The proposed project stays within the height boundaries of the zoning case approved in 2000. Starting on the eastern side, the community will be at its highest point of 50', which is immediately adjacent to a 65' office tower and the 65' tall Optima Camelview across the street. Built into an excavated hole, the project starts a transition from 50' lofts that are four stories but have a mezzanine level, creating 5 levels, to a height of 38'. The final transition is from 38' to 26' carriage houses, as the project turns into a more residential scale as it adjoins single family homes to the west. The 26' high carriage houses will be an attached garage product that people can park their car adjacent to their unit. Creating a massing transition from urban to suburban is a key component of the design.

The layout of the site encompasses view corridors for the office building, neighbors and the residents living on the site as well. The view corridors allows for visual relief that is uncommon in this type of urban setting. Within the view corridors, there will be themed courtyards that will include pools and outdoor activities, as well as private courtyards that are more quiet and meditative in nature.

The architecture established for the project is in harmony with the modern aesthetic established with the Portales Master Plan. The project incorporates a strong horizontal theme with materials laid in horizontal directions, along with balconies, decks and awnings. The steel canopy mimics the steel decks of Optima Camelview. Structural brick is used that is four times larger than common brick. The color and warmth of the brick and use of sandstone is in harmony with the granite and sandstone shades of the neighboring buildings in the Portales Master Plan.

Access to the site is obtained in various ways. The primary entrance for visitors, neighbors and deliveries will be on Goldwater Boulevard, where traffic will enter a circular drive. From there, residents can drive to the carriage houses or down into the underground parking garage. Entry can also be obtained by turning onto the couplet road and down the off-ramp from Goldwater or through Rancho Vista Road. Also, Chaparral road will allow residents to enter the garage or carriage houses. Exiting happens the same way via Goldwater Boulevard, Rancho Vista or Chaparral Road.

The prior approved zoning case in 2000 and subsequent design review board cases had various residential vehicular access stipulations from the subject site exiting onto Chaparral Road. The last cases required exiting onto Chaparral Road be allowed in an east (right) or west (left) direction. There was also a proposed gate that prevented vehicular access from the adjacent office development so that office traffic could not go east bound (left) along with the residential traffic. The current proposed plan is different

than previous plans, which had a main entrance off of Portales Place Road. The proposed project has the main entrance to the community off of Goldwater Boulevard. This main entrance is where residents, guests, deliveries, and visitors will visit the property. This important distinction creates three possible entrances/exits from the community, which reduces the impact on all exits/entrances. On prior plans the two main entrances were off of Rancho Vista Road and Chaparral Road arriving at the property on Portales Place Road. The developer has met with numerous neighbors and it has been determined that an appropriate solution to minimize the traffic on Chaparral Road is to remove the gate and create a left in entrance and right-out only traffic exit on Chaparral Road. We request that stipulation #9 of Case 76-ZN-85#3 be modified which currently reads: "Except for the proposed residential access from the subject parcel, the only direct access to Chaparral Road shall align with 71st Place. The intersection shall be designed to preclude left turn exits. Residential only access shall be provided from the subject parcel as shown on the site plan submitted by Jeff Schwartz, the Empire Group and dated 6 January 2000. This access shall be gated to prohibit any ingress and egress from the Portales office or commercial development to Chaparral Road. The new stipulation would read: "Except for the proposed residential access from the subject parcel, the only direct access to Chaparral Road shall align with 71st Place. The intersection shall be designed to preclude left turn exits". Stipulation #4A is a prior stipulation to stipulation #9 and is in conflict, as it creates alignment at 71st street, which is not located at the traffic circle. Stipulation #4A reads: "Chaparral Road – Access from Chaparral Road shall be restricted to use by the proposed residential development only. This access shall intersect Chaparral Road at the planned traffic circle at 70th Place, as shown on the submitted site plan. Due to the conflict, we request that stipulation #4A be removed. This design solution will prevent traffic from either property to make a left turn and continuing east bound on Chaparral Road and prevent traffic generated by the subject site from crossing through the office parking lot.

In the prior zoning case, the developer was responsible for traffic calming measures and a storm water catch basin. The applicant intends to abide by the stipulation and will provide an in-lieu payment for the Chaparral Road traffic calming and drainage as stipulated in the previous zoning case. The ultimate configuration of Chaparral Road has mixed opinions from residents and the City. We want to work with the neighbors and City to come up with the best solution for traffic calming. Walkways within the development and along Chaparral Road have been designed to be six-feet in width. Along Goldwater Boulevard, the sidewalk will be eight-feet. Along the private drive, Portales Place Road, a six-foot sidewalk will be provided except where the sidewalk encroaches into the underground parking garage, where the width will be decreased to five-feet to allow adequate planting space for landscaping and trees. A transit stop is proposed at the southern entrance to the property that will include a shelter, bench and trash facility. Additionally, we are working with the City to provide a downtown trolley stop. The trolley waiting area will occur in the roundabout and seating will be provided next to the entry fountain, providing a cooling effect for riders.

Solid waste pick up areas occur along the carriage style units at two pick up points. Solid waste within the underground garage is deposited at pick up points in the garage that are

fed by trash chutes from the above floors. Trash is then distributed via a small hauler to a compactor on the northeast corner of the site for weekly pick up. Loading and unloading for packages and deliveries occur at the entrance of the site, where these items are delivered to the leasing office for resident pick up. Moving van loading and unloading occur along the interior drive isle within the community that are adjacent to ramps into the communities elevators. For oversize moving trucks, two loading areas are provided at the northeast corner, where moving items are brought to the elevator at building C or are moved along the top or bottom of the garage building and distributed to adjacent buildings. A mailroom will be provided within the underground garage for the residents in the high density portion of the community and within an enclosed area at the leasing office for those residents residing in the carriage units.

The garage entrance off of Goldwater Boulevard has been modified to make turning transitions easier. Of note, this turning condition is not unique to multifamily communities. In fact, the Optima Camelview has the same configuration on the entrance and exit onto Highland Avenue.

We have added two notes to the site plan that reference the right-of way. First, we will dedicate the necessary right-of-way that is consistent with the City's Chaparral Street Improvement design dated September, 2007 or whatever configuration is agreed upon by the neighborhood and City. Additionally, we will dedicate a non-motorized public access easement along Chaparral Road where planned sidewalks extend outside of the right-of-way.

IV. Adoption of Planned Block Development Overlay and Development Plan

Adoption of PBD overlay district and development plan: The Planning Commission shall hold a public hearing on a proposed application as provided for in sections 1.604 and 1.605. Prior to the hearing, the Development Review Board shall make a recommendation on any proposed modifications to section 5.3060, schedule B, site development standards, including any additional regulations which apply. After receiving the Development Review Board's recommendation, the Planning Commission shall recommend, and the City Council shall consider for adoption, an amendment creating a PBD overlay district only after making the following findings:

- 1. That the development plan is consistent with the adopted Downtown Plan and other applicable policies, and that it is compatible with development in the area it will directly affect.*

The proposed development plan meets the City of Scottsdale vision and values as well as the Land Use, Character and Design, Mobility and Economic Vitality principals as set forth in the Downtown Plan by creating a diversity of housing types within the Downtown Plan area. The housing creates living opportunities in the Downtown Area that reduce commute times and economically enhances downtown business with a

sustainable population. The project creates a pedestrian friendly environment that has been designed in tune with the human scale and creates an architecture befitting of the modernist palate of the Portales Masterplan.

2. *That the development plan contributes additionally, beyond the underlying regulations, to the urban design objectives articulated for downtown, and that deviations from the regulations that otherwise would apply are justified by compensating benefits of the development plan.*

The proposed development plan contributes to the City of Scottsdale's urban design objectives through a uniquely designed multi-family community. The architecture proposed for Portales Residential is in harmony with the modern aesthetic established with the Portales Master Plan by providing a palate of materials of glass, stone, brick and steel. The community has a strong horizontal aesthetic with banding, handrails, overhangs and steel canopies. The project also provides context appropriate transitions to the adjacent single-family residential to the north and west by transitioning height from adjacent building heights of 65' to 50', 38' and 26' on the subject property. The 26' perimeter buildings bring the urban scale of the Downtown Plans higher height and dense buildings softly to the edge of a single family neighborhood. The primary design objective is to create a residential community that will bring vitality and vibrancy to the Downtown, but also a design that complements the surrounding context. Although the zoning district allows up to 50 units/acre, this plan is unique in its approach to density, as it only provides approximately 38.5 units/acre. The result in the reduced density provides an additional contribution to the urban design by offering a vast amount of open space for a Downtown project, where none is required. The plan provides nearly 4 acres of open space on a 9.5 acre site and creates a unique living experience for residents in an urban downtown area, which is not likely to be recreated in future downtown projects.

3. *That the development plan includes adequate provisions for utilities, services, and emergency vehicle access, and, if warranted connections between underground parking facilities.*

The Portales Residential development team has met with City of Scottsdale to coordinate adequate provisions for utilities, services, and emergency vehicle access. The site plan has been designed to accommodate these requirements.

4. *That projected traffic generated by the development plan will not exceed the capacity of affected streets.*

The Portales Residential development team has met with City of Scottsdale Transportation Department and prepared a traffic study demonstrating that the traffic generated by the proposed use will not exceed the capacity of the affected streets. The

approved Portales Masterplan in 2000 encompassed AM Peak Hour Trips of 2,141, PM Peak Hour Trips of 2,465 trips and Total Daily Trips of 22,275. The final Portales Masterplan with the current proposed project will generate AM Peak Hour Trips of 1,185, PM Peak Hour Trips of 1,296 and Total Daily Trips of 11,996. The reduction from the original Portales masterplan to today's final mastplan account for a 45% reduction in AM Peak Hour Trips, a 47% reduction in PM Peak Hour Trips and 46% reduction in Total Daily Trips.

5. *That the development plan will not significantly increase solar shading of adjacent land in comparison with development under prevailing regulations.*

The Portales Residential development has been designed in a sensitive manner with a maximum height of 50' on the east end of the development stepping down from east to west, 38' and 26' respectively, providing a lower residential scale and building mass near the single family homes to the west. The building heights, along with the proposed setbacks of at least 20' are far enough away that it will not cast shadows and will create an insignificant increase in the solar shading of adjacent land.

Justification for the PBD Amended Development Standards is provided by separate document.

V. Downtown Plan Overview

Vision: Comprised of its unique neighborhoods, Downtown Scottsdale is a dynamic city center which recognizes its western heritage while boldly looking towards its metropolitan future.

LAND USE

The Portales Residential project meets the Land Use goals and policies of the Downtown Plan as identified below:

GOAL LU 1:

MAINTAIN DOWNTOWN SCOTTSDALE AS THE COMMERCIAL, CULTURAL, CIVIC, AND SYMBOLIC CENTER OF THE COMMUNITY TO ENSURE A VIBRANT MIX OF MUTUALLY SUPPORTIVE LAND USES.

Policy LU 1.2.

Maintain Downtown as a year-round, 24-hour highly functional mixed use center, containing areas of different densities, architectural styles, and land uses that support the needs of Scottsdale's residents and visitors.

The Portales Residential development will provide a much needed residential rental component for the residents of Scottsdale. At only 38.5 units/acre, Portales Residential is a unique downtown proposed residential community, which is less dense than some of the more recently approved residential projects in Downtown Scottsdale (Blue Sky 174 units/acre, Optima Sonoran Village 50 units/acre, Scottsdale Waterfront 77 units/Acre). With the new proposed downtown zoning ordinance, it is likely that a downtown project with this reduction in density may not be seen again. This increase in residents will have an impact on the livability of downtown Scottsdale, as retail, entertainment, galleries and restaurant business will benefit and have additional stability that maintains the downtown area as the symbolic center of the community.

GOAL LU 2:

PROMOTE THE DEVELOPMENT OF DOWNTOWN AS A COLLECTION OF MIXED-USE URBAN NEIGHBORHOODS.

Policy LU 2.2.

Support interconnected pedestrian oriented urban neighborhoods that are comprised of a balanced mix of activities and land uses within optimal walking distance (approximately one-quarter mile).

The Portales Residential site (9.5+/- acres) is the last component of the 40-acre Portales Master Plan originally approved in 1985 and is located on the northern end of the Downtown Plan boundary. The site is ideal for creating a pedestrian oriented residential community that is within walking distance from numerous retail and restaurant opportunities. Scottsdale Fashion Square Mall is approximately 400' away from the southern edge of the project, which opens up to an array of interconnected pedestrian linkages and Downtown amenities including The Waterfront, 5th Avenue shops, Old Town, and the Main Street galleries. The pedestrian connectivity is enhanced by 6' and 8' sidewalks that are adjacent and through the community. Pedestrian connectivity from the adjacent single family neighborhood is achieved by direct sidewalk access that leads to the Marshall Way Corridor under the Goldwater bridge couplet through Optima Camelview to the Scottsdale Fashion Square. Strengthening connections between various land uses is a goal of the downtown plan.

Policy LU 2.7.

Maintain, enhance, and expand the development of a Downtown Regional urban neighborhood with primary land uses consisting of regional/community serving commercial uses, as well as larger scale housing developments. Centered around major regional retail, this urban neighborhood will strengthen Downtown Scottsdale as a regional and community destination. The greatest intensity of Downtown development may be accommodated in this urban neighborhood.

The land use designation for the subject property is Downtown Regional Type 2. The Downtown Regional Type 2 land use is intended to support the highest intensity/density within the Downtown area. The proposed development, which is 400' from Scottsdale Fashion Square, will provide a much needed residential component to the Downtown

area, which will support the existing and future retail and commercial uses in Downtown Scottsdale and further strengthen its community and regional destination appeal. At 38.5 units/acre, it is also compatible with the surrounding single family residential as it transitions the urban core buildings in the Downtown Area Plan.

GOAL LU 3:

CONTINUE THE USE OF DEVELOPMENT TYPES TO GUIDE THE PHYSICAL AND BUILT FORM OF DOWNTOWN SCOTTSDALE.

Policy LU 3.2.

Support higher scale Type 2 development in all non-Downtown Core areas of the Downtown.

The Portales Residential site is a Type-2 development outside of the Downtown Core. As such, higher scale and density is promoted. The proposal is for 38.5 dwelling units/acre which will provide an appropriate transition from the Downtown density found at the adjacent Optima Camelview (50 dwelling units/acre) to the single-family residential located north and west of the site.

GOAL LU 4:

ENCOURAGE DOWNTOWN LAND USE DEVELOPMENT FLEXIBILITY.

Policy LU 4.1.

Retain, expand, or modify as necessary, flexibility in Downtown zoning, development standards, and incentives to achieve the goals of the Downtown Plan.

The site is zoned D/RCO-2 PBD DO and with the "PBD" (Planned Block Development) overlay the applicant is allowed to request amended development standards in order to achieve unique, context appropriate designs that may deviate from the standard Downtown Ordinance requirements. The previous zoning case for this site did have amended development standards (76-ZN-1985#3) specific to the site plan provided under that case. With this request for site plan amendment, the applicant is seeking modifications to the amended development standards to address their specific design and responsiveness to the adjacent Downtown character and unique development considerations for the site.

GOAL LU 6:

PROMOTE DIVERSITY IN DOWNTOWN HOUSING OPTIONS.

Policy LU 6.1.

Develop a variety of housing types such as apartments, condominiums, lofts, town homes, patio homes, and live/work units.

The Portales Residential development is proposing 369+/- high-end luxury multi-family residential apartment units which will provide a housing component that is in demand in Downtown Scottsdale.

CHARACTER & DESIGN

The Portales Residential project meets the Character & Design goals and policies of the Downtown Plan as identified below:

GOAL CD 1:

THE DESIGN CHARACTER OF ANY AREA SHOULD BE ENHANCED AND STRENGTHENED BY NEW DEVELOPMENT THAT PROMOTES CONTEXTUAL COMPATIBILITY.

Policy CD 1.1.

Incorporate, as appropriate, in building and site design, the distinctive qualities and character of the surrounding, and/or evolving context.

The Portales Residential development consists of 9 buildings ranging in various heights. Starting on the eastern side of the property, adjacent to the existing 65' (6 levels) office tower and 65' Optima Camelview (7 levels) condominiums, the Portales Residential community will have its highest buildings of 50' (4 stories with a mezzanine level creating 5 levels). As the development transitions to the west, the buildings will step down to 38' (4 levels) and then 26' (2 level carriage units) along the far northern and western edges of the development. The applicant created this "stepped" design in response to the surrounding context and to provide appropriate massing and sensitive transitions. Creating a transition from the urban Portales Master Plan character to the suburban single-family character was a key component of design.

The site plan includes view corridors for the office buildings, neighbors and future residents of the Portales Residential development. The view corridors allow for breaks between the buildings, visual relief and architectural interest. The view corridors seen in the vertical plane translate to open space corridors on the site plan which will have a range of amenities including pools, outdoor activities, private courtyards, abundant landscaping and pedestrian linkages for its residents. The open space is nearly 4 acres on a 9.5 acres site, which is uncommon in a high density urban environment.

The architecture established for the community is in harmony with the modern aesthetic established with the Portales Master Plan. The proposed building materials, color palette, placement of windows, balconies, and canopies complement the existing Camelview condominiums and Portales office buildings, while still providing a sensitive transition and compatible character to the adjacent single-family residential.

Policy CD 1.4.

Promote Downtown urban and architectural design that is influenced by, and responds to, the character and climate of the Sonoran Desert.

The proposed design responds to the character and climate of the Sonoran Desert in the following ways: incorporates southwest appropriate building materials (such as plaster, brick, steel and sandstone), a color palette in desert colored hues, incorporates shade canopies/awning details and balconies that protect residents and units from the sun, provides underground parking, which minimizes the effect of a heat island, provides continuity among adjacent uses through site design and Desert landscaping, enhances pedestrian connectivity within the community and Downtown amenities, celebrating open space areas, and is designed with an emphasis on the human-scale.

Policy CD 1.5.

Encourage urban and architectural design that addresses human scale, and provides for pedestrian comfort.

Urban design is created by the density and 4 story buildings, a portion of which are 5 levels with the mezzanine) adjacent to the urban context of Optima Camelview and the Portales office buildings, which are 7 and 6 stories respectively. The height creates drama and a grand scale, however, the human scale is emphasized with variations in height, balconies, windows and 3-light panel window doors that look out into courtyards and open spaces. The human scale is a critical component to the design with large expansive sidewalks and walkways to 3 unique courtyards. The courtyards will be articulated with landscape and public amenities such as gazebos, outdoor fireplaces, pool, fountain, umbrellas, and a variety of seating areas, which make for a resort style living environment. Additionally, individual courtyards are provided for the units that face the interior drive isle and along Goldwater Boulevard, which enhances the human scale.

GOAL CD 2:

DEVELOPMENT SHOULD SENSITIVELY TRANSITION IN SCALE, HEIGHT, AND INTENSITY AT THE DOWNTOWN PLAN BOUNDARY AND BETWEEN ADJOINING URBAN NEIGHBORHOODS OF DIFFERING DEVELOPMENT TYPES.

Policy CD 2.1.

The scale of existing development surrounding the Downtown Plan boundary should be acknowledged and respected through a sensitive edge transition buffer, established on a location specific basis, that may include transitional development types, landscape buffers, and sensitive architectural design solutions to address building mass and height.

A critical component to the design was a need to take the urban context of Optima Camelview and the Portales Office buildings, which are 7 and 6 stories in height and create a transition to neighboring single family homes. The design of the Portales Residential community starts on the far-east end with a four story-mezzanine structure, that creates 5 levels, that is 50' in height (adjacent to 65'). Then the buildings step down to 38' in height in the western direction. Once pass the interior drive isle, the height is transitioned further down with a 2 story, 26' high carriage units with attached garage.

This minimizes the impact on the single family home scale and creates the desired transition sought by the downtown plan.

GOAL CD 3:

DOWNTOWN DEVELOPMENT SHOULD RESPECT AND RESPOND TO THE UNIQUE CLIMATE AND CONTEXT OF THE SOUTHWESTERN SONORAN DESERT.

Policy CD 3.1.

Enhance outdoor pedestrian comfort through microclimatic design that incorporates a variety of shade conditions, landscape, and features that are drought tolerant, as well as offer attractive spaces, and passively cooler temperatures.

The Portales Residential design plays heavy emphasis on quality outdoor spaces. The design includes a range of outdoor amenities including pools, outdoor activity areas, private courtyards and private balconies. These courtyards and spaces are enhanced with large overhangs and shade structures such as gazebos, umbrellas and resort style lounge furniture. Additionally, pedestrian connectivity throughout the community is a key component of the design as well as connectivity to the surrounding Downtown services, retail and restaurants. Pedestrian areas are shaded by building heights, overhangs, carports and shading created by the various trees on the site. The plant palette for the development will incorporate drought tolerant, low-water use plant materials with an emphasis on providing shade and pedestrian scaled species, such as mesquites, sissoo trees and jacaranda.

GOAL CD 4:

STRENGTHEN PEDESTRIAN CHARACTER AND CREATE STRONG PEDESTRIAN LINKAGES.

Policy CD 4.1.

Develop an attractive, interconnected network of safe and walkable pedestrian linkages to, within, and between, the various Downtown urban neighborhoods.

Pedestrian connectivity is achieved on the site as 6' sidewalks and walkways are provided from the interior drive isle of the site that allows for connectivity to all buildings on the site. Inside the podium structure, 6' walkways are provided that allow for access to all of the courtyards and open space areas.

Policy CD 4.2.

Development should demonstrate consideration for the pedestrian by providing access and connections to adjacent developments.

Sidewalk connections will be provided along Chaparral Road with a 6' walkway, which connects with the existing sidewalk from the Portales Office Building that goes to Scottsdale Road. Goldwater Boulevard access is achieved with an 8' sidewalk that takes residents safely to Scottsdale Fashion Square. Additionally, a 6' sidewalk will take adjoining neighbors from Chaparral Road down onto Portales Place Drive, which will lead them to the Marshall Way corridor and through to Scottsdale Fashion Square. Additionally a network of sidewalk connections will be provided throughout the development encouraging pedestrian movement.

GOAL CD 6:

INCORPORATE A REGIONAL LANDSCAPE PALETTE THAT COMPLEMENTS DOWNTOWN'S URBAN CHARACTER.

Policy CD 6.1.

Downtown landscape elements should project a desert oasis design character, providing an abundance of shade, color, varied textures and forms.

The plant palette for the development will incorporate drought tolerant, low-water use plant materials with an emphasis on providing shade and pedestrian scaled species. The quality of open space will be vital to the success of this residential development. The plant palette will be commensurate with the Portales Master Plan and will uphold the City's policy for providing a "desert oasis" design character. The plant materials will be integrated with the design of the buildings and will complement the existing neighborhood with regard to texture, color, scale, density, and placement.

GOAL CD 8:

IMPLEMENT HIGH QUALITY DESIGN IN DOWNTOWN ARCHITECTURE.

Policy CD 8.1.

Encourage contemporary and historical interpretations of regional Southwestern Sonoran Desert architectural traditions.

The Portales Residential development embodies a contemporary modern architectural design with a four story structure that creates a variety of open spaces and view corridors for adjacent neighbors. The curvature of the building along Goldwater creates an interesting sight line and building plane as it creates a courtyard with the adjacent U-shaped structure next to it. The planes and angles create a striking visual display that is articulated with roof overhangs, balconies and glass doors from the units. Selection of building materials (such as plaster, brick, steel, concrete and sandstone) all incorporate a regional southwest palate as the colors are based in desert color hues. The elevations have variety and textures with all of the different materials that cast shadows and interest. The design incorporates up to 6' steel overhangs, canopies, balconies/patios that are from 3' to 10' in depth, and numerous windows and pedestrian scaled elements all of which speak to the regional Southwestern Sonoran Desert character and architectural tradition encouraged by the City.

Policy CD 8.2.

Promote the "Scottsdale Sensitive Design Principles" in the creation of architecture in Downtown.

Portales Residential intends to promote and uphold the principles of design set forth in the "Scottsdale Sensitive Design Principles" established by the City as identified below.

- 1. The design character of any area should be enhanced and strengthened by new development.***

Response: Portales Residential gives special consideration to the distinctive qualities of Downtown Scottsdale by picking up the distinct architectural character of surrounding properties such as Optima Camelview and the Portales Office Building by the use of materials and strong horizontal lines in the design. The design is sensitive to the range of development types in the area. Creating an appropriate massing transition from urban to suburban was a primary component of the design by transitioning from 50' in height on the east end of the site to 26' in height adjacent to single family homes to the west.

- 2. Development, through appropriate siting and orientation of buildings, should recognize and preserve established major vistas, as well as protect natural features such as:***

Response: Although the site, being in Downtown Scottsdale, does not have natural features like properties in North Scottsdale, the site layout preserves view corridors for the office building to Camelback Mountain, neighbors as well as the future residents of the Portales Residential community. The view corridors allow for visual relief that is rarely found in this type of urban setting.

- 3. Development should be sensitive to existing topography and landscaping.***

Response: The site was previously excavated and the proposed development will be nestled into the site, promoting sensitive development and appropriate transitioning. Landscaping will be consistent with the existing Downtown Scottsdale plant palette including, but not limited to, Sissoo, Arizona Ash, Jacaranda, Desert Ironwood, Palo Brea and Mesquite trees.

4. *Development should protect the character of the Sonoran desert by preserving and restoring natural habitats and ecological processes.*

Response: This standard is not applicable to the subject property which is a vacant, excavated site in Downtown.

5. *The design of the public realm, including streetscapes, parks, plazas and civic amenities, is an opportunity to provide identity to the community and to convey its design expectations.*

Response: The proposed streetscapes will provide continuity with adjacent existing development through the use of landscaping, paving materials, lighting and pedestrian seating areas. The landscape palette mentioned above will be consistent with established Downtown landscape themes.

6. *Developments should integrate alternative modes of transportation, including bicycles and bus access, within the pedestrian network that encourage social contact and interaction within the community.*

Response: Portales Residential is designed to be a pedestrian friendly environment encouraging residents to enjoy the project amenities and common open space, and take advantage of active connectivity to Downtown Scottsdale. A network of sidewalks is proposed along Chaparral Road, Goldwater Boulevard and Portales Place Drive as well as throughout the development to encourage pedestrian and/or bicycle movement thereby reducing overall vehicular trips. Additionally, there has been initial discussion with City Staff regarding a trolley stop on the Portales Residential site, which the applicant supports.

7. *Development should show consideration for the pedestrian by providing landscaping and shading elements as well as inviting access connections to adjacent developments.*

Response: Portales Residential will reflect human scale and integrate abundant landscaping, building overhangs and shade elements to embrace the pedestrian and celebrate the unique climate of the southwest, while encouraging connectivity to adjacent developments.

8. *Buildings should be designed with a logical hierarchy of masses:*

Response: The hierarchy of building masses proposed for Portales Residential controls the visual impact of the buildings' heights and sizes and provides as a sensitive transition from existing urban to suburban development adjacent to the site.

9. The design of the built environment should respond to the desert environment:

Response: The design of Portales Residential integrates abundant common open space and private outdoor living spaces to allow its residents to enjoy the Sonoran Desert climate. The project incorporates a strong horizontal theme with structural brick laid in horizontal directions, along with balconies, decks and awnings. The color and warmth of the brick and use of sandstone is in harmony with neighboring buildings and overall desert context.

10. Developments should strive to incorporate sustainable and healthy building practices and products.

Response: Sustainable design strategies and building techniques, which minimize environmental impact and reduce energy consumption, will be considered for the development of Portales Residential.

11. Landscape design should respond to the desert environment by utilizing a variety of mature landscape materials indigenous to the arid region.

Response: The selection of plant materials will be indigenous to the arid region and compatible with the established character of Downtown Scottsdale with respect to scale, density and arrangement.

12. Site design should incorporate techniques for efficient water use by providing desert adapted landscaping and preserving native plants.

Response: Portales Residential will incorporate a low water use plant palette that is evocative of the Sonoran Desert. There are no native plants currently on site.

13. The extent and quality of lighting should be integrally designed as part of the built environment.

Response: Lighting will be designed in a manner that is respectful of the surrounding context, minimizing glare and will provide a comfortable, safe environment for the pedestrian.

14. Signage should consider the distinctive qualities and character of the surrounding context in terms of size, color, location and illumination.

Response: Signage themes will be low scale and appropriate to the Downtown context. Project identification will key off the proposed architectural character of the buildings.

Policy CD 8.3.

Promote the principles of design in the "Downtown Urban Design and Architectural Guidelines" in all Downtown development.

Portales Residential intends to promote and uphold the principles of design set forth in the "Downtown Urban Design and Architectural Guidelines" established by the City.

MOBILITY

The Portales Residential project meets the Mobility goals and policies of the Downtown Plan as identified below:

GOAL M 1:

DEVELOP COMPLETE STREETS THROUGH PUBLIC AND PRIVATE INFRASTRUCTURE INVESTMENTS AND IMPROVEMENTS.

Policy M 1.3.

Upgrade sidewalks and intersections to ensure continuity and consistency throughout Downtown. Improve pedestrian crossing facilities on major roads and at major intersections.

The Portales Residential development is designed to be a pedestrian friendly environment encouraging residents to enjoy the open space amenities and pathways throughout the project. With the development of Portales Residential, sidewalk connections will be provided along Chaparral Road, Goldwater Boulevard and Portales Place Drive providing connectivity to Downtown amenities and services (for residents and neighbors alike). Additionally, a network of sidewalk connections will be provided throughout the development to encourage pedestrian movement and minimize vehicular trips.

GOAL M 2:

CREATE COMPLETE, COMFORTABLE, AND ATTRACTIVE PEDESTRIAN CIRCULATION SYSTEMS.

Policy M 2.2.

Support pedestrian oriented design that encourages strolling, lingering, and promenading activities, by including pedestrian comfort amenities such as shade, seating, shelter, and lighting, especially in areas where there is a high concentration of pedestrian activity.

See M 1.3.

Seating areas will be provided in appropriate locations throughout the development to create "rest stops" for pedestrians. There has been initial discussion with City Staff regarding a trolley stop on the Portales Residential site, which the applicant supports. Seating and shelter associated with this potential trolley stop would be provided.

Landscape lighting will be integrated throughout the entire community to create a safe environment and improve night-time way finding for pedestrians. Seating and conversations areas will be created in the courtyards and open space areas of the development.

ECONOMIC VITALITY

The Portales Residential project meets the Economic Vitality goals and policies of the Downtown Plan as identified below:

GOAL EV 1:

SUPPORT DOWNTOWN'S ECONOMIC ROLE AS A HUB FOR ARTS, CULTURE, RETAILING, ENTERTAINMENT, TOURISM, AND EVENTS.

Policy EV 1.4.

Promote Downtown as a creative environment in which people can live, work, and pursue leisure activities.

The integration of a luxury residential rental community in the Downtown Scottsdale with a focus on connectivity promotes the City's goal of further creating a retail, cultural, entertainment and event hub in Downtown. Additional residential units promote sustainability and the "live, work, play" philosophy identified throughout the Downtown Plan.

GOAL EV 2:

PROMOTE PRIVATE INVESTMENT AND ATTRACT NEW DEVELOPMENT TO DOWNTOWN.

Policy EV 2.1.

Encourage new development and reinvestment that maintains Downtown's economic edge in the region.

There is a strong demand for luxury residential rental units in Downtown Scottsdale. The proposed 369+/- units will support existing Downtown restaurants, services, retail, entertainment and cultural amenities contributing towards the vitality and economic viability of Downtown. Portales Residential is a few minute walk from Scottsdale Fashion Square Mall which connects to a variety of Downtown amenities including The Waterfront, 5th Avenue shops, Old Town, and the Main Street galleries.

Policy EV 2.2.

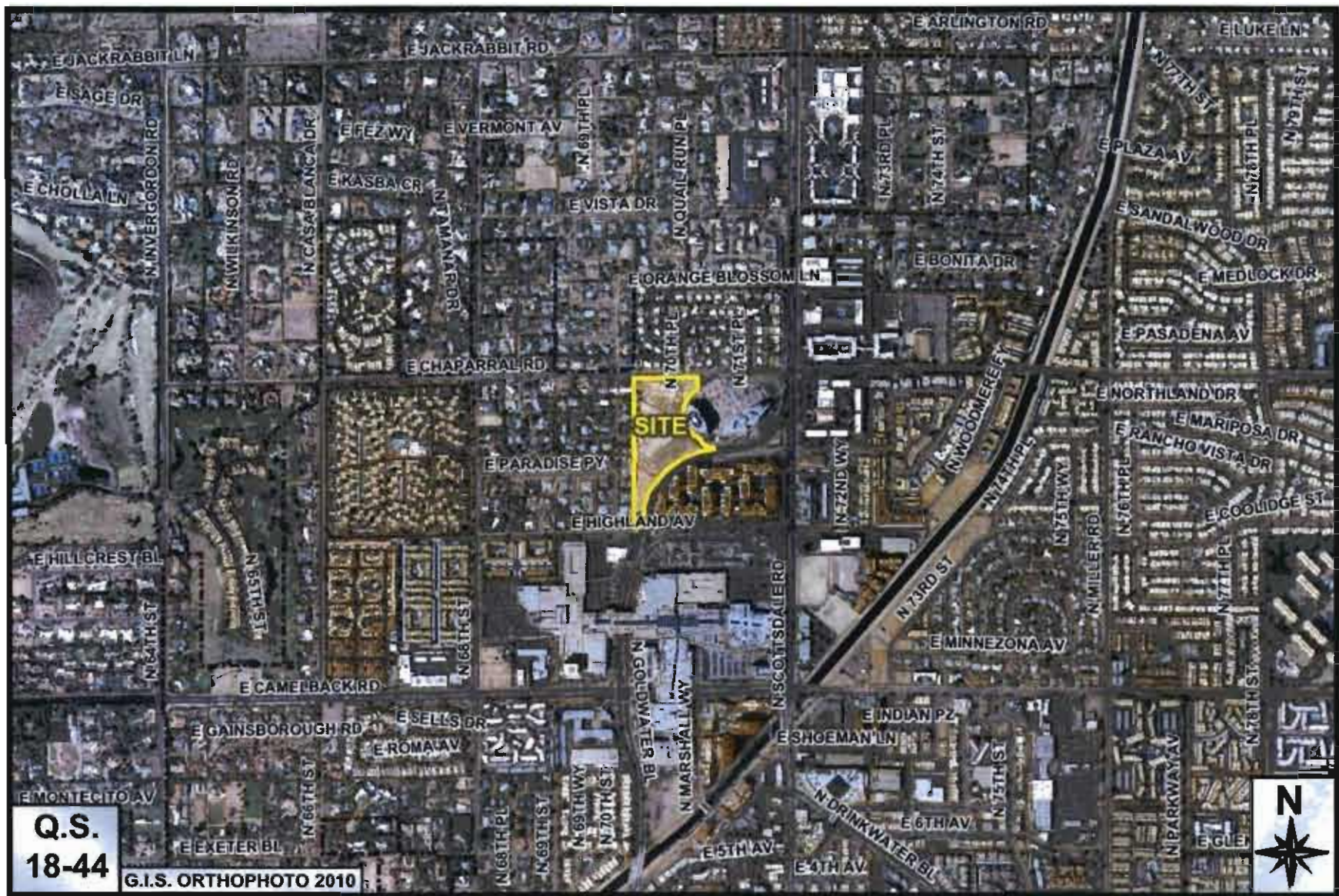
Promote a mix of daytime/nighttime activities year-round through new development that includes vertically mixed land uses and a diverse range of housing development.

The Downtown Plan recognizes that variety and quality of housing is crucial to the stability of the local economy. Providing a range of housing types secures Scottsdale's

future as a desirable place to live, work, play and visit based on a foundation of a dynamic, diversified and growing economic base that complements the community. The integration of residential rental units complements the existing Portales Master Plan and nearby Downtown amenities. Additional housing will promote the retention of existing business as well as the development of new ones.

VI. Conclusion

In summary, the request is for a site plan amendment on a 9.5+/- acre site zoned D/RCO-2 PBD DO in Downtown Scottsdale. The applicant intends to develop a unique multi-family community consistent with the approved zoning and in conformance with Scottsdale's Downtown Plan. The applicant is proposing 369+/- high-end, luxury multi-family residential units consisting of two and four story buildings in conformance with the maximum height requirements already in place by the approved zoning case (76-ZN-85#3) in 2000. If approved, the anticipated construction start date would commence during the first quarter of 2013.



Portales Residential

76-ZN-1985#6

ATTACHMENT #4

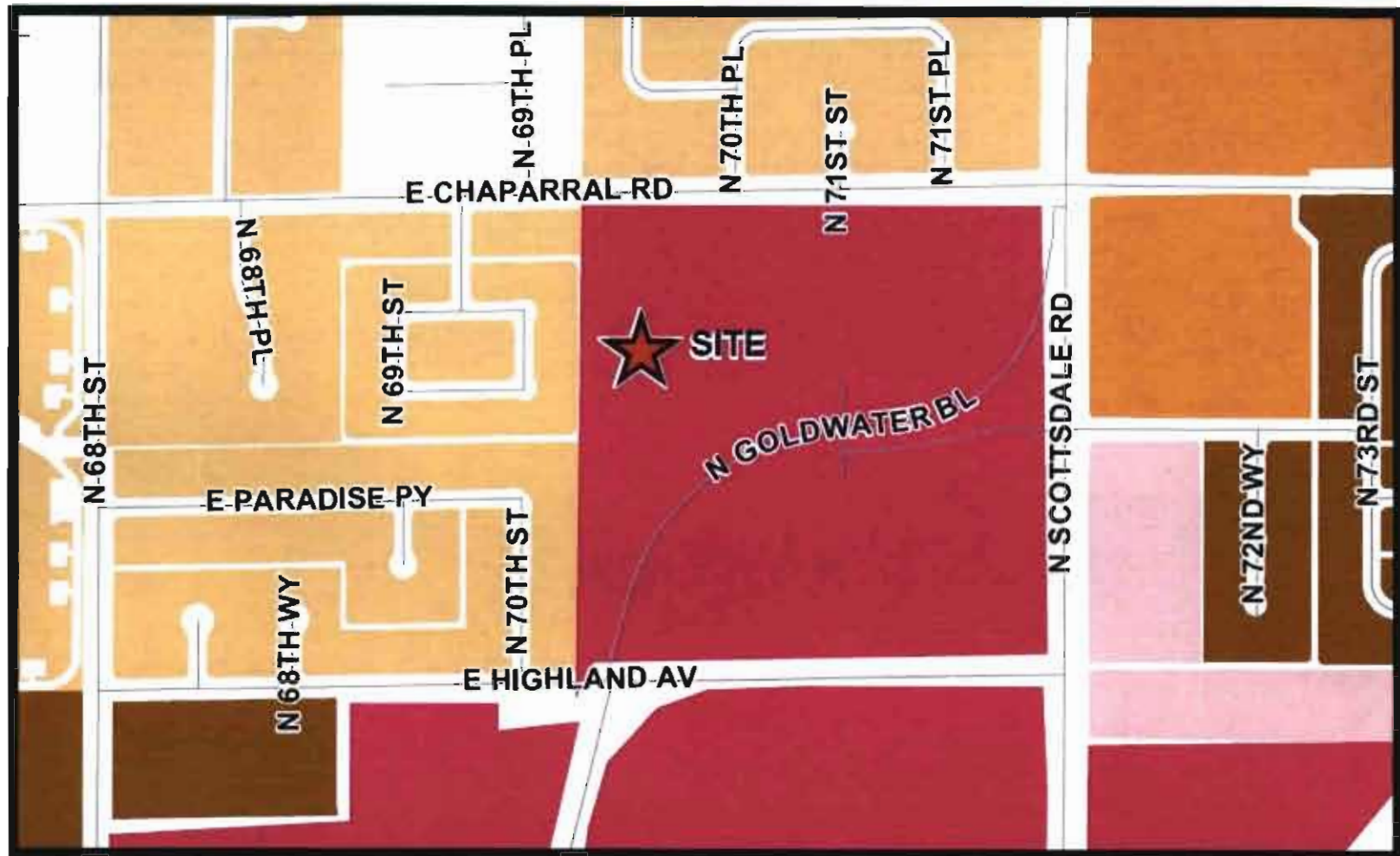


Portales Residential

76-ZN-1985#6

ATTACHMENT #4A

Land Use Plan



Land Use Designations

	Downtown Civic Center - Type 2		Downtown Medical - Type 2
	Civic Center or Medical - Type 2		Downtown Multiple Use - Type 2
	Downtown Core - Type 1		Downtown Regional Multiple Use - Type 2

76-ZN-1985#6



TRAFFIC IMPACT ANALYSIS SUMMARY
Portales Residential Development
SWC Chaparral Road & 70th Place
76-ZN-1985 #6

Summary Prepared by Phillip Kercher, COS Traffic Engineering
Traffic Impact Study Prepared by Tove White, Kimley-Horn and Assoc.

Existing Conditions:

Site Location – SWC Chaparral Road and 70th Place

Existing Development – Site is currently undeveloped; previously approved residential condominium development.

Street Classification – Chaparral Road is classified as a Minor Collector; Goldwater Boulevard is classified as a Major Arterial; and Scottsdale Road is classified as a Major Arterial. 68th Street west of the site is classified as a Minor Collector.

Existing Intersection Conditions –

The Chaparral Road and Scottsdale Road intersection is signalized, operating as “split phase” eastbound and westbound. The westbound Chaparral Road approach has dual-left turn lanes and an exclusive right turn lane. There are single lane exclusive left turn lanes on all of the other approaches. Goldwater Boulevard begins as a one-way southbound street on the south leg of the intersection.

The Chaparral Road and 68th Street intersection is signalized. There are exclusive left turn lanes on all approaches.

Existing Street Conditions –

Scottsdale Road has three lanes each direction and a raised median.

Chaparral Road has two lanes each direction east of Scottsdale Road, and one lane each direction west of Scottsdale Road.

Goldwater Boulevard is a one-way roadway in the vicinity of the site, with three southbound lanes.

Existing Volumes – There are approximately 2,850 daily vehicles on Chaparral Road just west of Scottsdale Road; the volume decreases to approximately 2,000 daily vehicles adjacent to the site (counts from 2/12). There are approximately 36,300 daily vehicles on Scottsdale Road in the vicinity of the site; 9,200 daily vehicles on Goldwater Boulevard adjacent to the site; and 8,200 daily vehicles on 68th Street in the vicinity of the site.

Existing Speed Limits - The posted speed limit is 25 mph on Chaparral Road west of Scottsdale Road; 40 mph on Scottsdale Road, and 35 mph on Goldwater Boulevard.

Proposed Development:

Description - The proposed development plan consists of a multi-family development with 369 dwelling units.

Site Access – The site is proposing to have a driveway on both Chaparral Road and Goldwater Boulevard. The Chaparral Road access will align with an existing traffic circle at the 70th Place intersection. The applicant is proposing to restrict the left-turn movement out of the site at this location. The Goldwater Boulevard access will be restricted to right-in, right-out because of the one-way operation. The site can also access Rancho Vista Drive via a private driveway (Portales Place); Rancho Vista Drive intersects at a signalized intersection on Scottsdale Road.

TRIP GENERATION COMPARISON TABLE:

	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Proposed Devel. Multi-Family 369 d.u.	2,454	38	150	188	149	80	239
Previous Devel.- Multi-Family 142 d.u.	832	11	51	62	50	24	74
Increase/Decrease	+1,622	+27	+99	+126	+99	+56	+165

The site is located on a parcel that has been planned and partially developed as part of a master planned development known as Portales. The traffic analysis compares three development scenarios based up previous zoning and Development Review Board approvals: Year 2000, Year 2005, and Currently Proposed. The land uses and associated quantities are outlined in the attached page from the analysis. The total trip generation for each scenario is summarized below.

TRIP GENERATION – OVERALL PORTALES DEVELOPMENT:

	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Year 2000 Land Use Scenario	22,275	1,703	438	2,141	742	1,723	2,465
Year 2005 Land Use Scenario	11,663	752	543	1,295	479	720	1,199
Current Land Use Scenario	11,856	688	486	1,174	531	752	1,283

Traffic Analysis:

- Intersection Level of Service - The level-of-service for the traffic conditions at the Scottsdale Road and Chaparral Road intersection were analyzed under three scenarios – existing conditions, with site generated traffic and no improvements, and with site generated traffic and the addition of an eastbound right turn lane.
- The overall intersection currently operates at level of service (LOS) C during the a.m. peak hour and LOS D during the p.m. peak hour. The eastbound approach operates at LOS E during the peak hours.
 - With the addition of site generated traffic, the overall intersection operation remains at LOS C and LOS D during the peak hours. The eastbound approach remains at LOS E during the peak hours. The intersection average delay increases by approximately 4 seconds per vehicle during the a.m. peak hour and approximately 3 seconds during the p.m. peak hour.
 - With the site generated traffic and an eastbound right turn lane, the overall intersection remains at LOS C and LOS D during the peak hours. The eastbound approach remains at LOS E during the peak hours. The intersection average delay is approximately equivalent to the existing conditions delay.

Traffic Volumes – The proposed development would increase traffic volumes on Chaparral Road by an estimated 552 daily trips between the site and Scottsdale Road, and by an estimated 174 daily trips on Chaparral Road west of the site. Traffic volumes would increase by an estimated 491 daily trips east of Scottsdale Road.

Additional Information:

Future Street Improvements – The City has identified improvements to Chaparral Road west of Scottsdale Road, including intersection improvements, as a potential bond funded project. The Transportation Department had worked with the surrounding residents to develop a roadway improvement project that will improve the operation of the Scottsdale Road intersection, improve the pedestrian environment, and calm traffic on Chaparral Road.

Street Improvements Associated with Proposed Development – The applicant is being stipulated to provide an in-lieu payment that would be applied toward the proposed Chaparral Road improvement project discussed above. The in-lieu payment would pay for construction of the proposed traffic calming devices along the project frontage and an eastbound right turn lane at the Scottsdale Road intersection.

Summary:

The approval of the multi-family development plan for the proposed site will result in an estimated 2,454 trips generated per day to and from the project site. The development is estimated to generate 188 a.m. peak hour trips, and 239 p.m. peak hour trips. This represents an increase from the previously approved development plan for the site, but when the overall Portales master planned development is considered, this represents only a slight increase from the approved land uses in 2005 and a significant decrease from the land uses approved in 2000.

With the addition of the proposed site generated traffic, operations at the signalized intersection of Scottsdale Road and Chaparral Road will continue to operate at acceptable levels (LOS C during the a.m. peak hour and LOS D during the p.m. peak hour). The eastbound approach to the intersection operates at LOS E. The addition of a right-turn lane at the intersection improves average vehicle delay, but does not improve the overall level of service.

From: Chafin, Kim
Sent: Thursday, November 17, 2011 9:55 AM
To: 'lisa@sitedesignla.com'
Cc: lheiny@allenphilp.com; 'Michele Hammond'
Subject: RE: 76-ZN-1985#6

Good morning, Mr. & Mrs. Aquilina,
Thanks so much for contacting the City regarding the proposed project. I understand you have serious concerns; would you care to elaborate?

FYI, this is the City's web page link that provides detailed information about the proposal:
<https://eservices.scottsdaleaz.gov/eServices/cases/casesheet.aspx?caseid=40441>

The project has not been reviewed by the Development Review Board. The project will need Planning Commission and City Council approval prior to proceeding to the Development Review Board for consideration of the design.

The next public forum is an Open House being held on Thursday, December 1st from 5-7 pm at the developer's zoning attorney's office:
BERRY & DAMORE
6750 E CAMELBACK RD STE 100
SCOTTSDALE, AZ 85251
CONTACT : John Berry
480-385-2727 (PHONE)

I am also copying the zoning attorney's office, as well as the project architect, on this email, so that you may contact them directly, if you wish, to discuss the project.

No formal public hearings have been scheduled as yet, but once those dates are determined, signs will be posted on the property advertising those dates so that all interested persons may attend.

If you care to email me regarding your specific questions/concerns, I will response and also ensure that the developer and the reviewing bodies (Planning Commission, City Council, Development Review Board) receive a copy of your comments for their consideration.

Please feel free to continue to contact me directly regarding this project.

Thanks!

Kim Chafin, AICP, LEED-AP
Senior Planner
City of Scottsdale
Ph: 480-312-7734
Fax: 480-312-7088
email: kchafin@ScottsdaleAZ.gov

ATTACHMENT #7

From: lisa@sitedesignla.com [mailto:lisa@sitedesignla.com]
Sent: Wednesday, November 16, 2011 7:28 PM
To: Chafin, Kim
Subject: 76-ZN-1985#6

City of Scottsdale Email

I own the residential property immediately west of this proposed property and have serious concerns about the project as presented. Can you please let me know if this project has been approved by the Design Review Board. Where can I locate information on future hearings or other public forums at which I can participate? Thank you very much for your assistance. Mr. and Mrs. Drew Aquilina 6939 East Chaparral Road Paradise Valley, AZ 85253-7000 480-219-4559

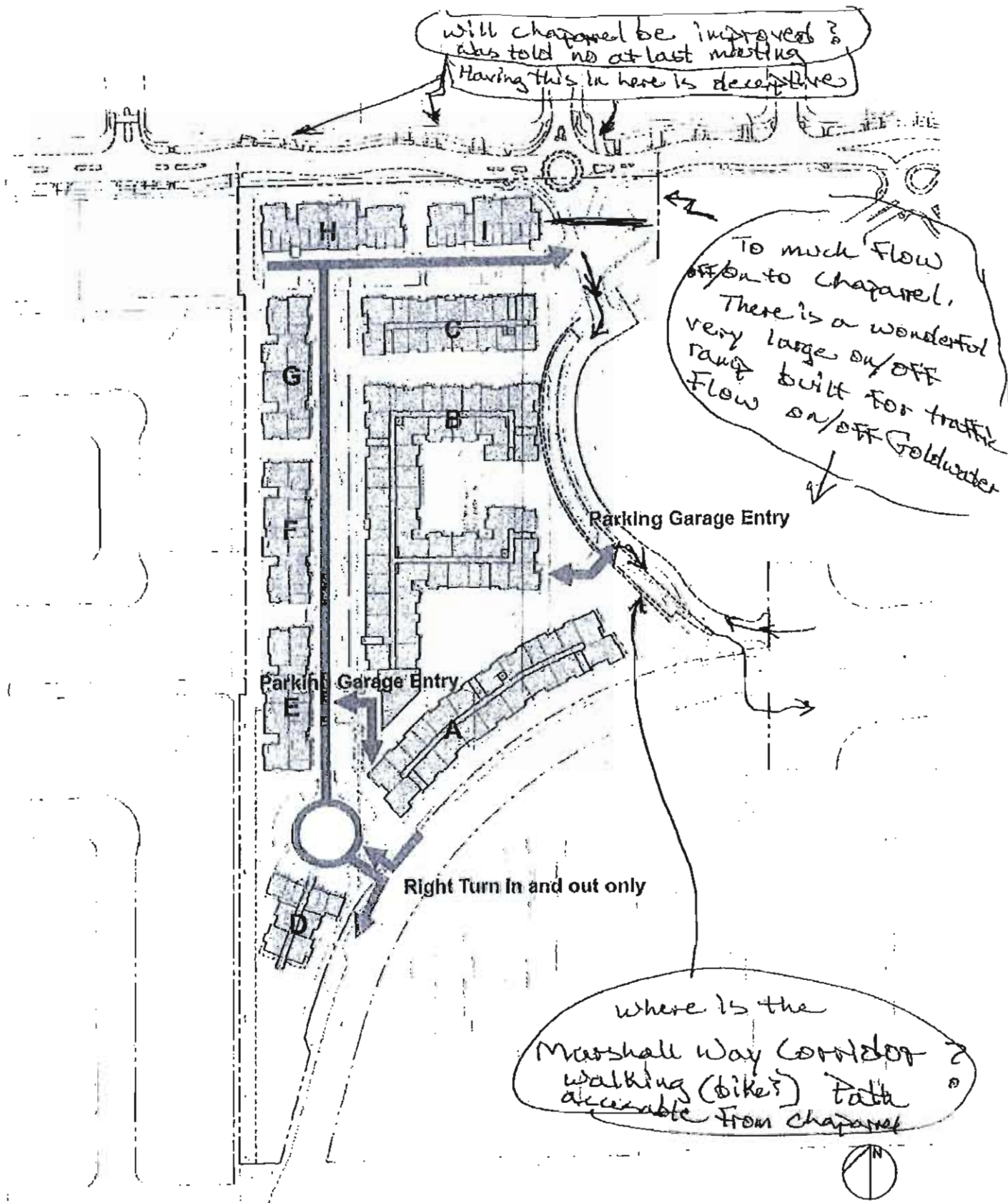


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December, 12, 2011

Jerry C. and Linda Bish
7131 E. Rancho Vista Dr.
Scottsdale, AZ 85251

Ms. Kim Chaffin, AICP, Senior Planner, City of Scottsdale
City of Scottsdale Planning Commission
City of Scottsdale Development Review Board
Mr. W.J. Lane, Mayor City of Scottsdale
City of Scottsdale Council Members

Re: Portales Residential, Case 76-ZN-1985 #6 in amendment to
Case 76-ZN-1985 #3

As Scottsdale residents, and downtown property owners, we would like to respectfully express our comments and concerns regarding the Portales Apartment Residential plans, put forth to The City of Scottsdale, by JLB Partners.

Growth can be invigorating to any community. For that reason, we like to see it, and share the excitement that many who live and work in the downtown district of Scottsdale, have for new buildings, businesses, and art projects.

We believe what brought us, and has drawn most people to Scottsdale, is a simple mix of vitality, charm, hospitality, and pleasing aesthetics (both natural and man made). The quality of life here, is broadly recognized by local residents, and widely noted throughout the country and world, to past and potential visitors.

It is for those reasons, preserving the "level of quality" of this spectacular community, be a primary goal of its citizenry.

The JLB Portales Apartments project, would clearly be situated on a site of prominence in Scottsdale. Our particular interest, is to watch it become another appreciated and highly acclaimed residential community, not unlike, the nearby existing condominiums, offices, and neighborhood. *Careful* planning is what has made, and more importantly, kept, some of the best, and continually desirable communities in our country. The villages along Lake Michigan shore north of Chicago (ie. Evanston, to Highland Park, IL,) come to mind.

Scottsdale, currently has, and enforces, good zoning requirements. We believe, they were put into effect, for solid reason. It is our understanding JLB would like to *amend* the current requirements along the Goldwater Boulevard side of the available lot, to accommodate their particular plan. We do not see benefit to the community for doing so. In fact, quite the contrary. While the request is advantageous to JLB, what is the effect to those who will travel on Goldwater past this highly visible site? This includes residents and visitors alike.

The massive vertical structure along Goldwater, has no setbacks, step backs, or, open, landscaped green space. This treatment may have been common for institutional buildings and complexes in the past, but currently, *even* "institutional" buildings generally offer more green, open space. The Portales plan dismisses aesthetic consideration, from the vantage of the most viewed part of the entire complex – Goldwater Boulevard. The harshness of the large building, void of noticeable relief to the front elevation, and essentially situated up to the road, is vastly out of sympathy with the surrounding structures and neighborhood. The overall plan offers "view corridors", to all sides, *except* the Goldwater front. Thus, the most highly viewed, and prominent elevation, ascribing a fortress effect on a narrow, busy road.

Commendably, Scottsdale has generally shown regard toward the significance of building setbacks, building step backs, and green initiatives, fronting prominent buildings and sites, as a matter of sound judgment for future community desirability.

The Goldwater side of the plan, creates a canyon, along the road, that will not only be imposing to drivers through this vital and attractive part of town, but in addition, show utter disrespect for the neighboring Optima complex. Optima has won numerous architectural and green initiative awards for obvious reason. The Optima complex is large, yet the buildings are set back and unarguably, beautifully terraced, so as to preserve a sense of openness, with lush landscaping, for the entire outside community to enjoy. Not just the owners of Optima Camelview Village, but, inclusively, *everyone*, benefits with this thoughtful approach. In stark contrast, The JLB Portales building plan, along Goldwater, is in direct opposition to the setback, softer lines, and curving characteristics of bordering office and residential buildings. Where, then, one must ask, is the larger community of Scottsdale (existing homeowners, and Scottsdale's visitors from around the world), being considered with the request JLB is asking for, with their development?

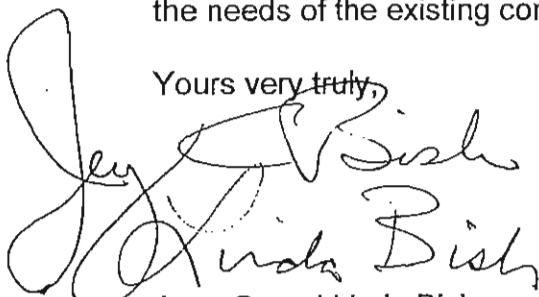
The proposed project, has most everyone we have spoken with, greatly concerned with traffic issues, and further, have expressed the need for a thorough evaluation of potential hazards, and additional congestion. With the injection of yet another large apartment complex, and many additional residents coming into and out of the downtown corridor, it should be noted that Goldwater Blvd. as a road, is not nearly of the scale, nor of simple straight lines, that comprise major streets, such as Scottsdale Rd. or Camelback Road. Goldwater Boulevard, passing in between Portales, and, Optima Camelview, is narrow in scope, not much wider than many side streets. Yet, as a bypass, Goldwater Boulevard already carries a large volume of heavy traffic, including large trucks, streaming along a series of curves, and questionable lack of driving lanes, which

create varying problems, such as line of sight and shadows. Often, it is not unlike a small expressway, without an apron. Sidewalk pedestrians will precariously be positioned, in unsafe distance to these ominous roadway conditions. Thus, it is inconceivable, to place additional hindrances to drivers, than already exist. In summary, Goldwater Blvd. road deficiencies are; 3 narrow lanes, heavy traffic, curves, poor line of sight, and speed. *Any* entrance to *any* properties along this stretch of Goldwater (even with acceleration and deceleration lanes), is simply ill-conceived, with potential increased risk of vehicle and pedestrian accidents. If the road were straight, reconfigured, or widened, to accommodate the proposed changes, perhaps increased danger, and noise would not be issues. Ask drivers who must attempt to pull out onto Goldwater, going south, from Highland Ave. It is generally a difficult circumstance, to say the least.

Additionally, the result of one large building, on a narrow corridor of road, such as Goldwater, will be creating a tunnel-like effect, for increased road noise and vehicle pollutants, being put upon existing homeowners at Camelview. Again, Camelview Village was attentively designed, and now, it is occupied by homeowners who appreciate design with community commitment to green planning, wherever, and however, it can be achieved, by virtue of proper planning in active cityscapes. Are the current homeowners at Optima to have their quality of life, and property values plunge, by giving right of way to a project, that *could be* appropriately designed with the community in mind, rather than self-interest? Have noise studies been undertaken in regard for those who currently reside and work close to Goldwater Blvd.? Has lighting and signage been examined for optimal community enhancement?

As stated earlier, we do not oppose the construction of the Portales Apartments development, although we prefer that the units be constructed as condominiums, with real homeowners. We respectfully ask that the City of Scottsdale, and the appropriate review agencies, consider the points related to the Goldwater Blvd. structure proposed by JLB Partners, as it relates to the neighbors at Optima Camelview, and the community at large. Building projects, can, and should be, positive. The chosen architects, Allen + Philp, have a praise worthy portfolio. With good measures, the planners/architects for JBL Partners can take all of the above issues into account and develop an improved conceptual plan that meets the needs of the existing community of homeowners.

Yours very truly,



Jerry C. and Linda Bish

email Chafin 12-13-11 Bob Griffith concerns RE Portales #6
From: Chafin, Kim
Sent: Tuesday, December 13, 2011 9:18 AM
To: 'Bob Griffith'
Cc: Kercher, Phillip; Kempton, Reed; 'Kevin Ransil'
Subject: RE: Portales #6

Good morning, Bob!

Thanks so much for contacting us to share your concerns about the proposed Portales Residential apartment project at 5000 N. Portales Place. No, I wasn't able to attend the Open House; there was a City Council meeting at that same time.

I am forwarding all citizen comments to the developer, and will also see that the City's Transportation Division, as well as the reviewing bodies (City Council, Planning Commission and Development Review Board) receive a copy of your email so they can take your concerns into account when they hold public hearings to consider the developer's request.

Please feel free to contact me directly with any further comments, or questions, you may have about this proposed development.

Thanks again for contacting us; we really appreciate you taking the time to share your concerns.

Kim Chafin, AICP, LEED-AP
Senior Planner
City of Scottsdale
Ph: 480-312-7734
Fax: 480-312-7088
email: kchafin@ScottsdaleAZ.gov

-----Original Message-----

From: Bob Griffith [mailto:grifco@cox.net]
Sent: Saturday, December 10, 2011 10:04 PM
To: Chafin, Kim
Cc: Borowsky, Lisa; Lane, Jim; T.J. Lenick; Mark Riehle
Subject: Portales #6

Kim --

Attended the neighborhood presentation at the Optima earlier this week. Didn't see you there.

1) My primary concern is pedestrian access/egress. We need to consider making the Infill District much more pedestrian and bike friendly in order to discourage folks getting into their cars just to drive a few blocks because it's safer. Basically, over-all trading off the benefits of foot and bike traffic vs car traffic should be a major transportation strategy for the District.

In the case of Portales #6, this principally means creating safe pedestrian walking routes N/S along Goldwater and across the Goldwater/ Highland intersection both N/S and E/W at the Highland east flow direction latitude.. Here at Optima we are also challenged in this regard. I would like to see the specific planning solutions here, and be assured that the City will team with the developer in this regard.

2) When does this approval cycle first hit the Development Review Board???

Appreciatively,

Bob Griffith email Chafin 12-13-11 Bob Griffith concerns RE Portales #6

email Kim Sullivan 12-20-11 objections 76-ZN-1985#6 PORTALES RESIDENTIAL
From: Chafin, Kim
Sent: Thursday, December 22, 2011 12:12 PM
To: 'Kevin Ransil'
Cc: Kercher, Phillip
Subject: FW: 76-ZN-1985#6 PORTALES RESIDENTIAL

FYI

-----Original Message-----

From: Smetana, Rachel
Sent: Wednesday, December 21, 2011 12:27 PM
To: 'kim.s.sullivan@gmail.com'
Subject: FW: 76-ZN-1985#6 PORTALES RESIDENTIAL

Dear Mrs. Sullivan,

The Mayor appreciates your e-mail and asked me to research this further and get back to you. Rest assured he will be watching this project with great interest for many of the same reasons you mention, and is thankful for your input.

Staff is currently evaluating a traffic study for Chaparral Road and agrees that something must be done in that area to ease the congestion. The traffic impacts of the Portales project are being evaluated and will be considered with other infrastructure impacts as the proposal moves forward through the public hearing process. Additionally, the City has several street improvement projects included in the bond proposal that will address congestion along Chaparral Road and at the Scottsdale Road and Chaparral Road intersection. If you would like more information about these projects you can contact the City's Transportation Department, 480-312-7696.

A date for a Planning Commission hearing for the Portales project has not been set. Because you live in Optima Camelview you will be notified when that is scheduled, but please give me your address so I am doubly sure you are on the list. The Mayor would like to encourage you to attend that meeting and let the Commission know your concerns. If you are unable to attend the Planning Commission hearing they also accept comments in writing and enter them into the public record. <http://www.scottsdaleaz.gov/boards/PC> this link includes a space to enter your comments or you can send them to Brandon Lebovitz BLEbovitz@scottsdaleaz.gov in Planning and he will make sure they are included as well.

Again, the Mayor appreciates your input. Thank you for communicating your concerns about the Portales project and Chaparral Road in general.

Please feel free to contact me directly if you need more information or clarification on this or any matter.

Best wishes for a wonderful 2012!

Rachel Smetana
Management Assistant to the Mayor
City of Scottsdale
480-312-7977
rsmetana@scottsdaleaz.gov

email Kim Sullivan 12-20-11 objections 76-ZN-1985#6 PORTALES RESIDENTIAL
-----Original Message-----
From: kim.s.sullivan@gmail.com [mailto:kim.s.sullivan@gmail.com]
Sent: Tuesday, December 20, 2011 10:29 AM
To: Lane, Jim
Subject: 76-ZN-1985#6 PORTALES RESIDENTIAL

Contact Information (if blank, user did not provide):

Name: Kim Sullivan
Address: ,
C/S/Z: ,
Phone: 480-788-5469

MESSAGE:

Dear Mayor Lane, My husband and I are homeowners in Optima Camelview and my 81 year-old mother lives just down the street in Villa Monterey, so I am constantly driving on Chaparral Rd. If you have not had the chance to drive that street between Hayden and Scottsdale Rd lately, count yourself fortunate. It is a nightmare. My mother refuses to drive to our condo or even get on Chaparral Rd because it is such a congested, dangerous mess. Just getting out on Chaparral from the north side of villa monterey to head west to our condo is a huge challenge and almost impossible at certain times of the day. And I am not even going to talk about the intersection at Chaparral and Scottsdale Rd other than to say, one takes his/her life into their hands each time they turn left onto Scottsdale Rd. How on earth can the City of Scottsdale approve yet another HUGE apartment complex (Portales Residential) with good conscience? This project is over 3 times the density of the original project (Portales Place) planned for that site. And most, if not all, of the future residents of this new project will be using Chaparral Rd as their main route to get to and from home, making an already very bad situation exponentially worse for all current downtown residents and senior citizens living in the Villa Monterey area. My husband and I sold our home and moved from northeast Scottsdale to a more urban setting because we wanted the hustle and bustle of city life. As a native Arizonan who has lived in Scottsdale for 45 years, I expect the same smart planning that has made living in Scottsdale the joy it has always been. Portales Residential is NOT smart planning, it is too many people with too little infrastructure to support them. The City of Scottsdale should think long and hard about approving this project in its current form. It will bring down the quality of life for those who believed in the development and revitalization of downtown Scottsdale enough to invest here. We trusted the City of Scottsdale to maintain its vision for a vibrant, well-planned downtown without making knee-jerk, desperate decisions on big projects because current economic times are bad. Please rethink approval of Portales Residential as it is being presented now. It is far too dense a project and not what we were told would go there in the first place. Sincerely, Kim Sullivan

This message was generated from the following web page:
<http://www.scottsdaleaz.gov/council/contact>

January 30, 2012

From:
Ryan and Laurie Amato
5038 N Chiquita Lane
Scottsdale, AZ 85253

To:
Kim Chaffin, AICP, Senior Planner
City of Scottsdale Planning Commission
City of Scottsdale Development Review Board
Mr. W.J. Lane, Mayor City of Scottsdale City of Scottsdale
Council Members

RE: Portales Residential, Case 76-ZN-1985 #6

As a nearby homeowner of this proposed development I wanted to write and express my concerns regarding the Portales Apartment Residential plans located at 5000 N Portales Place. I am pro-development and wish the Developer and the City nothing but success. I do however, have some concerns regarding this projects impact on Chaparral Road that I wanted to open dialogue on.

I purchased my home in 2007. Prior to 2007, the City of Scottsdale and neighbors of this community realized that Chaparral Road needed to be re-designed for ongoing safety concerns, traffic calming as well as for water and sewer issues. It is my understanding that at such time a redevelopment plan was drafted, designed, reviewed and approved but never received funding due to the economic downturn. Funding may absent for this re-designed street but the issues along Chaparral remain.

Eastbound traffic during peak hours ends up at a stop sign at the main entrance to the Portales Office Park (which creates a "bottle neck" effect) prior to making a partial left turn into a single lane which then stops at the traffic light on Scottsdale Road a short distance away. It is not unusual for cars to wait for more than 10 minutes to get through this intersection.

Further, all westbound traffic, which likely consists primarily of people driving vehicles who do not live in this neighborhood, has to do the same thing in reverse. Since Camelback Road does not make its way to the Loop 101, Chaparral Road ends up carrying much of the freeway traffic as people drive through the neighborhood using it as a shortcut.

I suspect that at the time Chaparral Road was constructed, no one foresaw the congested traffic patterns that exist today.

Let me be clear once again that I do not oppose the Portales project and am excited to see progress in my community. I just want to be certain that the Chaparral Road congestion problem is not overlooked during your due diligence phase. I am not a traffic engineer but I do have experience in development and reviewing site plans. I can't imagine based on the plan that I have seen that adding approximately 400 homes on this site with a main point of ingress and egress onto Chaparral isn't going to exacerbate the problem of what is already an over-burdened and unsafe street. I believe this plan in its current form with shared access to the adjacent office building poses a traffic, noise and safety issue to the neighborhood.

As stated earlier, I do not oppose the project but respectfully ask that the City of Scottsdale, and the appropriate review agencies, consider the issues that the additional traffic generated from this project and easement access with the adjacent office park will have on Chaparral Road.

Sincerely,



Ryan Amato
602 751 8971
wamato@sprynet.com

email Chafin 2-2-12 Espinosa concerns RE 5000 Portales development
From: Chafin, Kim
Sent: Thursday, February 02, 2012 10:37 AM
To: 'Paul Espinosa'
Cc: 'Kevin Ransil'; Venker, Steve
Subject: RE: 5000 Portales development

Good morning, Mr. Espinosa!

Thanks so much for contacting me regarding your concerns. I am forwarding all citizen comments to the developer's representative, and will also see that the reviewing bodies (City Council, Planning Commission and Development Review Board) receive a copy of your email so they can take your concerns into consideration.

It would be most helpful if you could let us know what your specific concerns are, i.e., how the buildings will look, or traffic impacts?

Please contact me directly with additional comments you would like to share.

Thanks again for contacting us!

Kim Chafin, AICP, LEED-AP
Senior Planner
City of Scottsdale
Ph: 480-312-7734
Fax: 480-312-7088
email: kchafin@ScottsdaleAZ.gov

-----Original Message-----

From: Paul Espinosa [mailto:espipaul@gmail.com]
Sent: Thursday, February 02, 2012 10:25 AM
To: Chafin, Kim
Subject: 5000 Portales development

Kim,

I am writing to state my opposition to the planned development at the 5000 Portales address. This development would create significant problems in this neighborhood and I urge you to oppose the proposed plan which I understand is coming before the Development Review Board today.

Thanks for your consideration.

Paul

--

Paul Espinosa
6934 E Chaparral Rd
Paradise Valley, AZ 85253
espipaul@gmail.com
paul.espinosa@asu.edu

To: Kim Chafin
Senior Planner
City of Scottsdale

From: H. Cole Bobbe and Debra Bobbe
6902 E Chaparral Rd.

Subj: Portales Development

Ms Chafin, It has come to our attention that there have been meeting's concerning the resurrection of the Portales Project. It seems you have been rather covert about the time and dates of these meetings. It makes me think, that you are trying to slip something by us in the neighborhood. I am in horror as to what was probably discussed at the last meeting, since there was probably no one there in opposition to your plan. **I find this whole process extremely dishonest.** There was so much opposition the last time this was announced, that it seems you were trying to sneak it through under the radar. Everything that was asked for by the neighborhood, is still expected by us to take place before the development starts. The traffic calming in its entirety is a must or a nonstarter. I realize the City is desperate for tax dollars and to keep its workers employed, but if you change the last plan that we agreed on it will be unacceptable to us all. There are many children on this street and a high volume of high speed traffic will create a danger to us all. I realize you or the developer don't have to live here, but this is our neighborhood. We are all worn out from all of this, but I am a Marine and won't allow us to be walked on.

Please assure me that you haven't changed the last plan.

Regards,

Cole

LtCol H. Cole Bobbe
USMC ret.

480-941-9491

480-221-1633

From: Chafin, Kim
Sent: Thursday, February 02, 2012 7:29 AM
To: 'Jim Idsardi'
Cc: 'Kevin Ransil'; Kercher, Phillip; Bloemberg, Greg
Subject: RE: Portales Development

Good morning, Jim!

Thanks for contacting us regarding your concerns about traffic impacts. I am forwarding all citizen comments to the developer's representative, and will also see that the reviewing bodies (City Council, Planning Commission and Development Review Board) receive a copy of your email so they can take your concerns into consideration. Please feel free to contact me directly if you have any questions or additional comments you would like to share. Thanks again for taking the time to contact us, Jim; we really appreciate it.

Kim Chafin, AICP, LEED-AP
Senior Planner
City of Scottsdale
Ph: 480-312-7734
Fax: 480-312-7088
email: kchafin@ScottsdaleAZ.gov

From: Jim Idsardi [<mailto:jimidsardi@cox.net>]
Sent: Wednesday, February 01, 2012 4:57 PM
To: Chafin, Kim
Subject: Portales Development

Hi Kim,

Thank you for getting back with me so quickly regarding the traffic concerns this development will bring to my neighborhood. I live at 6912 E Chaparral rd., just a couple of hundred feet West of the proposed area. I attended the neighborhood meeting on Dec. 1st 2011, all city planners and developers were busy with other concerned residents so I left my contact information with the developer at the door. I have not been contacted by the developer or anyone representing the project since receiving the first notice on Nov. 15, 2011. Over the last couple of weeks I have mentioned this proposed project to the neighbors on each side of me and neither were aware of the project.

I'm sure you can understand the concerns that those of us living here have regarding traffic. Please forward my info to the developer. My email is: jimidsardi@cox.net and cell is 602-670-4655. I would think a meeting addressing how they plan to keep traffic calm in and out of our neighborhood is something they should have.

Sincerely,
Jim Idsardi

From: Chafin, Kim
Sent: Tuesday, February 07, 2012 10:25 AM
To: 'hcbobbe@aol.com'
Cc: 'Kevin Ransil'
Subject: FW: 5000 Portales Place
Attachments: 76-ZN-1985#6 (1) sign photo.jpg; 76-ZN-1985#6site signs.pptx; 20120206160648252.pdf

Good afternoon, Lt. Col. And Mrs. Bobbe!

Thank you for contacting me regarding your concerns about the proposed Portales Residential development. Please be assured that the City has no intention of "trying to slip something by" the neighborhood. The City wants the neighbors' input on the proposed development, and as such, posts signs inviting the public to contact the City directly by phone, and/or attend the advertised public hearings. Attached please find the photo showing the signs that were posted on the property Jan 19th, in advertisement of the Feb 2nd Development Review Board meeting. The Development Review Board's role at that meeting was to make a recommendation to the City Council regarding the way the buildings will look, which actually doesn't affect the traffic situation.

Some of your neighbors attended to voice concern about the proposal.

Please mark your calendar for March 14th at 5pm, when the proposed development will be reviewed by the Planning Commission. Public input is encouraged.

Also attached is a copy of the proposed site plan, including improvements the developer proposes to make to their Chaparral Road frontage.

I am forwarding all citizen comments to the developer's representative, and will also see that the reviewing bodies (Planning Commission, City Council and Development Review Board) receive a copy of your email so they can take your concerns into consideration when they review the proposal.

Please feel free to telephone me directly if you'd like to discuss any of the issues related to the proposed development, and/or send any additional comments to me via email.

Thanks!

Kim Chafin, AICP, LEED-AP
Senior Planner
City of Scottsdale
Ph: 480-312-7734
Fax: 480-312-7088
email: kchafin@ScottsdaleAZ.gov

From: Macgyver [<mailto:hcbobbe@aol.com>]
Sent: Saturday, February 04, 2012 10:44 PM
To: Chafin, Kim
Subject: 5000 Portales Place

From: reza zahedi [rzahedi1@yahoo.com]
Sent: Tuesday, February 07, 2012 6:45 PM
To: Chafin, Kim
Subject: 400 unites chaparral Development

Hello My name is Reza Zahedi my address 6924 e chaparral rd I am writing this E mail because I am very much concern a bout the proposed 400 unit apartment development .Any civil engineer and road planner can realize that hardly any of the people that will live in these 400 unit will use the Gold water road because it is one way Narrow left hand turn and has a stop light at fashion square which already it is a nightmare also once they get to camel back road there is no entrance to 101 if we average 500 cars per these 400 unit coming in and going out and we should assume most of them working regular hours 8:00 am to 5:00 pm any reasonable person realize all of them will use chaparral road we already have much traffic traveling on chaparral road because of motorist that come from 101 toward west on chaparral road and also the others coming from north on Scottsdale road toward south do not like to take Gold water to get to camel back road also at the intersection of chaparral and Scottsdale we already have heavy congestion of traffic which make it for long wait to either go east or south or North on Scottsdale road (bottle neck). few months back developer sent a person out to get the home owners opinion I expressed my concern a bout the heavy traffic and other conditions which will not be to liking of home owners by the idea of 400 unites but i did not hear anything back until now we already do not have so safe conditions because of heavy traffic that is why we have police patrol cars in the area all the time unless city planning to widen the road all the way from west of exit 101 to west of 68 Th street (which i do not believe will happen any time soon) this will become the nightmare of every home owner in this area

thank you

Reza Zahedi 480-570-2595

CITIZEN REVIEW REPORT & NEIGHBORHOOD INVOLVEMENT REPORT

Goldwater Blvd. south of Chaparral Rd. and north of Highland Ave.

Portales

December 8th, 2011

Overview

This citizen outreach and neighborhood involvement report is being performed in association with the application for redevelopment of an approximately 9.66 acre site located at Goldwater Boulevard, south of Chaparral Road and north of Highland Avenue. The project will revitalize the site with beautifully designed luxury apartment units.

The entire project team is sensitive to the importance of neighborhood involvement and creating a relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Communication with these parties has already begun and will be ongoing throughout the process. Work on compiling stakeholders and preparing for the neighborhood outreach began prior to the application filing and will continue throughout the process. Communication with impacted and interested parties may take place with verbal, written, electronic, and door-to-door contact.

Community Involvement

In advance of the submittal, the outreach team contacted neighbors within 1250 feet of the proposed project to gauge their support and understand their issues by going door-to-door. In addition, the outreach team participated in a meeting with neighbors hosted by the Coalition of Greater Scottsdale again to hear from neighbors their views of the proposed project. Neighbors generally expressed support for the proposal, but wanted to make sure that access on Chaparral Road remains limited to right-out-only.

This month, surrounding property owners, HOA's and other interested parties were noticed via first class mail regarding the project. The distribution of this notification met the City's requirements as specified in the Citizen Review Checklist. This notification contained information about the project and contact information to receive additional information and the opportunity to give feedback. The notification also contained information regarding two neighborhood Open Houses that took place for those who wanted to learn more about the project (please see attached letters).

For Optima residents, a meeting was held on December 6, 2011 at the Party Room inside the Optima Camelview development. On December 1, 2011, a meeting was held at the offices of Berry and Damore for those neighboring residents that do not live within the Optima Camelview Development (please see attached sign-in sheets and comment cards). Attendees were generally supportive of the project with a few raising concerns relating to sightlines and noise traffic on Chaparral Road.

Members of the outreach team will continue to be available to meet with any neighbors who wish to discuss the project. Additionally, they will be contactable via telephone to answer any questions relating to the project.

A vital part of the outreach process is to allow people to express their concerns and understand issues and attempt to address them in a professional and timely matter. As previously stated the entire team realizes the importance of the neighborhood involvement process and is committed to communication and outreach for the project.

Attachments:

12.1.2011 Sign-in Sheets

12.6.2011 Sign-in Sheets

Comment Cards

Notification letter

Notification letter Optima

Notification list

Portales
Neighborhood Meeting Sign-In Sheet
Thursday, December 1, 2011

[illegible]

Portales
Neighborhood Meeting Sign-In Sheet
Thursday, December 1, 2011

[illegible]

Portales
Neighborhood Meeting Sign-In Sheet
Thursday, December 1, 2011

[illegible]

Portales
Neighborhood Meeting Sign-In Sheet
Tuesday, December 6, 2011

[illegible]

Portales

Neighborhood Meeting Sign-In Sheet

Tuesday, December 6, 2011

[illegible]

Portales

Neighborhood Meeting Sign-In Sheet

Tuesday, December 6, 2011

[illegible]

Print Name	Address	Phone	Email
Liz McCarty	7161 E Rancho Vista #4006	480-459-5974	liz@svtempest.com
Howard Jones	—	✓	howard.jones@svtempest.com
Kim Wasson	7117 E Rancho Vista Dr 6005	480-250-4144	kim.wasson@svtempest.com
John Kirk	7151 E Rancho Vista #3007	480-747-5339	john.kirk@svtempest.com
John Kirk	7151 E Rancho Vista	480-747-5339	john.kirk@svtempest.com
Nola J. Gault	7131 E Rancho Vista #4006	480-245-7271	nola@thecontos.net
Lisa Gault	7131 E Rancho Vista #4006	480-502-9120	lisa.gault@svtempest.com
George Gault	7131 E Rancho Vista #4006	480-245-7271	george.gault@svtempest.com
Patricia Gault	7131 E Rancho Vista #4006	480-245-7271	patricia.gault@svtempest.com
WARRON NEUGHER	7127 " " " 1004	602-344-0101	
erry Thinda Bish	7131 E Rancho Vista C	480-634-7576	
Haleli Reza Malek	7131 E Rancho Vista Dr	480-699-2767	
Brian Reza Malek	7137 E Rancho Vista 20	602-550-5759	davejanowski@svtempest.com
Nathan Cook	7137 E Rancho Vista 5007	215-455-9078	natecook@aol.com

Portales
Neighborhood Input Card

PRINT NAME Jerry and Linda Bish
ADDRESS 7131 E. Rancho Vista CITY Scottsdale ZIP 85251
PHONE 480-634-7576 EMAIL lindabaze@gmail.com

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

Buildings fronting Goldwater create
Vertical, Institutional, Canyon effect.
Consideration for community - neighbors
(existing property owners) at Camelview Village.

Technical Solutions • 3875 N. 44th Street #300 Phoenix, AZ 85018 • Phone: (602) 957-3434 • Fax: (602) 955-4505



Portales
Neighborhood Input Card

PRINT NAME LEE REX (DO)
ADDRESS 721 E RANCHO VISTA CITY SCOTTSDALE ZIP 85217
PHONE 917-886-1485 EMAIL _____

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

WANT TO SEE MODES

Technical Solutions • 3875 N. 44th Street #300 Phoenix, AZ 85018 • Phone: (602) 957-3434 • Fax: (602) 955-4505



November 15, 2011

Dear Neighbor:

We are excited to inform you that JLB Partners proposes to develop an innovative, architecturally significant luxury multi-family project on the currently vacant Portales site.

Located at Goldwater Boulevard, south of Chaparral Road, and north of Highland Avenue, the proposed development will provide luxury rental housing that will bring a much-needed economic boost to the surrounding area and to the Downtown Scottsdale community. JLB Partners is not asking to rezone the property. In fact, the proposal is for less height than currently allowed.

We are pleased to invite you to attend an open house to review our proposal. The open house will be held at the offices of Berry and Damore, 6750 East Camelback, Suite 100 in Scottsdale, from 5:00 p.m. to 6:00 p.m. on Thursday, December 1, 2011.

In the meantime, if you have any questions, please contact our neighborhood outreach team, Technical Solutions, at 602-957-3434. The City of Scottsdale Project Coordinator for this project is Kim Chafin, who can be reached at 480-312-7734.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Ransil", with a horizontal line extending to the right.

Kevin Ransil
Arizona Regional Partner



November 15, 2011

Dear Neighbor:

We are excited to inform you that JLB Partners proposes to develop an innovative, architecturally significant luxury multi-family project on the currently vacant Portales site.

Located at Goldwater Boulevard, south of Chaparral Road, and north of Highland Avenue, the proposed development will provide luxury rental housing that will bring a much-needed economic boost to the surrounding area and to the Downtown Scottsdale community. JLB Partners is not asking to rezone the property. In fact, the proposal is for less height than currently allowed.

We are pleased to invite you to attend an open house to review our proposal. The open house will be held in the Party Room at Optima Camelview Village, from 5:30 p.m. to 6:30 p.m. on Tuesday, December 6, 2011.

In the meantime, if you have any questions, please contact our neighborhood outreach team, Technical Solutions, at 602-957-3434. The City of Scottsdale Project Coordinator for this project is Kim Chafin, who can be reached at 480-312-7734.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Ransil", with a horizontal line extending to the right.

Kevin Ransil
Arizona Regional Partner

Cookson, Frances

From: Lebovitz, Brandon
Sent: Tuesday, March 13, 2012 9:33 AM
Cc: Curtis, Tim; Cookson, Frances
Subject: FW: Safe Pedestrian Access

FYI...

-----Original Message-----

From: Bob Griffith [mailto:grifco@cox.net]
Sent: Monday, March 12, 2012 6:00 PM
To: Planning Commission
Cc: T.J. Lenick
Subject: Safe Pedestrian Access

Dear Planning Folks --

Re: 76-ZN-1985,#6, Portales Residential

I am very concerned about safe N/S pedestrian access from this development to and from the Scottsdale Fashion Mall and points further south. And we are also similarly constrained here at the Optima Camelview west end. This is a chance to integrate solutions for both.

Appreciatively,

Bob Griffith
7127 E Rancho Vista Dr, #4002
Scottsdale, AZ 85251

Cookson, Frances

From: Chafin, Kim
Sent: Wednesday, March 14, 2012 9:27 AM
To: 'jtoussaint@cox.net'
Cc: 'Kevin Ransil'; Cookson, Frances
Subject: RE: Portales Residential project,

Good morning, Ms. Toussaint!

Thank you for contacting us to express your concerns about the proposed Portales Residential development. I am forwarding all citizen comments to the developer, and will also see that the decision-making bodies (in this case the Development Review Board, Planning Commission & City Council) get a copy of your email so they can take your comments into consideration as they deliberate the case at the upcoming public hearings. The next public hearing is scheduled for tonight (Planning Commission), and the City Council is scheduled to make a final determination on the rezoning request on April 17th.

If you have any further comments or questions, please feel free to contact me directly.

Thanks!

Kim Chafin, AICP, LEED-AP
Senior Planner
City of Scottsdale
Ph: 480-312-7734
Fax: 480-312-7088
email: kchafin@ScottsdaleAZ.gov

From: jtoussaint@cox.net [mailto:jtoussaint@cox.net]
Sent: Tuesday, March 13, 2012 4:53 PM
To: Chafin, Kim
Subject: Portales Residential project,

Greetings;

I am writing to voice my concern over the proposed Portales Residential project,. I live in camelback Park Estates on Orange blossom Ln. This is a very nice community of what are rapidly becoming custom homes in a wonderful location.

There are currently only 2 ways to enter or leave this development: (1)Scottsdale Rd and Orange blossom or (2) at the rounder on Chaparral. Both can prove very difficult at times.

It is difficult to cross Scottsdale Rd from Orange blossom to turn north during off peak traffic and virtually impossible during rush hour. It is equally difficult to turn right from Orange blossom when traffic backs up at the light on Chaparral and blocks the intersection. There is a "Do Not Block Intersection" sign at the corner but it is neither honored nor enforced. Additionally "U turns" are allowed at this intersection ad as traffic already on Scottsdale road has the right-of-way, this presents another difficulty especially as the right hand lane only allows travel across the bridge a Goldwater. There is extreme difficulty in crossing multiple lanes of southbound traffic to turn east.

The Chaparral exit is somewhat better as there is a light at Scottsdale road and a left hand turn signal. The ease of use on this exit WILL change if the existing project is completed and over 300 additional cars are

pushed onto Chaparral. I do not know what the plans may be for Chaparral to handle this additional traffic. During peak traffic the cars backed up on Chaparral westbound from Scottsdale Rd to Miller until the extra lanes were added and I fear the same thing may occur for eastbound traffic from the rounder to Scottsdale Rd.

Unless some provision is made to enlarge the rounder (minimum of two lanes), place a sign granting right-of-way to those in the rounder and provide an exit for the portales either AT or EAST of the rounder, it will be almost impossible for residents of Camelback Park estates to enter the rounder except to turn right. There is NOTHING to the right but 68th st.

Also, the existing rounder is too small for pulling trailers and boats forcing the use of Scottsdale road. If the rounder were removed completely and a "safety" lane added between the existing traffic lanes, traffic from Camelback Park could at least enter the "safety" lane eastbound.

This project will severely impact ingress and egress to Camelback Park Estates and will also impair emergency vehicle access to the development. Please require the traffic from Portales to use the existing on and off ramps and keep most of the traffic off Chaparral.

Thank you for your consideration.

Lolita Toussaint
7107 E. Orangeblossom Ln
Scottsdale, Az 85253.

Cookson, Frances

From: Chafin, Kim
Sent: Wednesday, March 14, 2012 9:37 AM
To: Cookson, Frances
Subject: FW: Blue Sky and Portales Place (Public Comment)

One more for tonight's PC

From: Smetana, Rachel
Sent: Wednesday, March 14, 2012 8:43 AM
To: Chafin, Kim
Subject: FW: Blue Sky and Portales Place (Public Comment)

FYI

From: Gallagher, Roxann [mailto:Gallagher@SacksTierney.com]
Sent: Tuesday, March 13, 2012 6:00 PM
To: Lane, Jim; Robbins, Dennis E; Milhaven, Linda; McCullagh, Ron; Littlefield, Robert; Klapp, Suzanne; Borowsky, Lisa
Subject: Blue Sky and Portales Place (Public Comment)

Dear Mayor and Council Members,

I have been a resident of Scottsdale since 2002, residing on the edge of Old Town since 2005. I also work in Old Town and for many years had the pleasure of serving, with my colleagues, as bond counsel to the City of Scottsdale for public finance transactions. As a result, I am very familiar with the historical and current activities of the Scottsdale City Council (the "Council"). It has come to my attention that the Council has recently acted or is poised to act on two high density apartment complexes proposed to be constructed in the heart of Old Town, currently known as Blue Sky and Portales Place. I am extremely concerned about the location of these projects, their proximity to one another, and the fact that the Council approval of development projects seems to have become de rigueur, regardless of the practical impact on Scottsdale residents, businesses, and public infrastructure.

For those of us working and living near Old Town, our quality of life is hanging by a thread and more than ever we must rely on the Scottsdale Planning Commission's and Council's extreme scrutiny of proposed development projects, informed assessment of infrastructure needs and demands, insistence on upholding, and not modifying, development standards, and dedication to preserving Scottsdale's heritage and character. However, it is clear that not all of the Council members are dutifully carrying out these tasks. I don't know if it is a shared myopic vision favoring immediate development, lack of Council member experience with, and understanding of, municipal planning, or some other factor, but it is frightening to watch the Council become a rubber stamp for projects that will severely adversely impact current Old Town residents and businesses and overburden public infrastructure. We are depending on you, individuals who live and work here, to protect us from developers who really have no long-term vested interest in Scottsdale. Developers simply make their money developing the project and move on to the next city and next project, leaving municipalities and residents to struggle with the consequences of development, or in this case, overdevelopment. In five years, the developers will not be sitting in clogged traffic with us, will not be repeatedly driving around the block to search for parking spaces, will not be abandoning their favorite restaurant because it is no longer worth the hassle to get to, and will not be struggling with a revenue deficit when the high density complexes fail to generate a large enough tax base to offset the drain on public infrastructure.

The fact is, Old Town cannot and should not accommodate both Blue Sky and Portales Place. At some point the Council must tell developers "no" and set a precedence for responsible, managed growth. In order to protect and preserve the essence of Old Town, and therefore the heart of Scottsdale, the time to say no is now. These additional high density projects that cut into the skyline are not appropriate for Old Town. As I sit in my 5th floor Old Town office today, I can barely see Camelback mountain over and through the tall buildings. We are hiding the rare natural beauty unique to Scottsdale with a concrete jungle that can be found in Anytown, USA. The attraction of Old Town over other American cities has traditionally been its quaint yet sophisticated feel, the thoughtless urbanization of Old Town destroys this very core.

Recently I observed Councilmember candidates remark on their desires to keep Scottsdale "a premier destination for visitors" and a "competitive destination." However, Blue Sky and Portales Place will severely frustrate that goal by literally choking off Old Town. Even now, the insufficient streets are clogged with traffic during higher travel times, parking is a nightmare, outdoor patios stink of exhaust fumes and noise pollution, and residents, businesses, and visitors all share the frustration. If Blue Sky and Portales Place are built, those exacerbated density conditions will cause many residents and visitors to avoid Old Town entirely and Old Town could slowly die. Consider that each of you has likely left a restaurant or business when you couldn't find parking or has stopped visiting a favorite place because it was just too difficult to get to. Do you honestly think that in the long run visitors will fight their way into Old Town to buy souvenirs that could easily be picked up elsewhere or struggle to get to a restaurant when so many others are easier to get to and just as good--particularly when smart phones, Yelp, Twitter, Facebook and the like provide frustrated visitors with the ability to immediately and permanently discourage others from undertaking the hassle? Blue Sky and Portales Place will not, in a longer view, contribute to an Old Town area that sober individuals will want to live, work or play in.

Further, the Council should not rush to develop every available parcel in Old Town. The opportunity cost of allowing Blue Sky and Portales Place to be thrown up now and therefore preventing more appropriate development to occur at a later time is too high. If growth is managed correctly, Old Town will remain a desirable location and better projects that are more suitable for the selected parcels may be proposed later. However, if Blue Sky and Portales Place are allowed now, Old Town will likely be saddled with urban decay forever. It's impossible to put the toothpaste back in the tube. Your obligations to the residents and businesses of Scottsdale extend beyond your relatively short times on the Council. Therefore, I urge you to take a longer view of the multiple adverse consequences of approving Blue Sky and Portales Place. There is literally no room for these projects in Old Town--particularly due to their proximity together and where no adequate plans for managing the resulting traffic and mitigating infrastructure burdens can be developed. I suspect that not one of you would want both of these projects as your immediate neighbors, don't make them mine.

Thank you for your time and consideration of these important issues.

Sincerely,

Roxann S. Gallagher
480.425.2673 DID Telephone
Roxann.Gallagher@SacksTierney.com


Cookson, Frances

From: Bloemberg, Greg
Sent: Wednesday, March 14, 2012 2:18 PM
To: Curtis, Tim
Cc: Cookson, Frances
Subject: FW: Issues with tonight's Planning Commission items 3, 4, and 5

fyi

Greg Bloemberg
Planner
Current Planning
City of Scottsdale
gbloemberg@scottsdaleaz.gov
480-312-4306

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From: Ryan Hurley [mailto:RHurley@roselawgroup.com]
Sent: Wednesday, March 14, 2012 2:17 PM
To: Planning Commission; Bloemberg, Greg; mdandrea@mirmor.net
Cc: Jennifer Hall; Court Rich; Hopi Slaughter; Ryan Hurley
Subject: Issues with tonight's Planning Commission items 3, 4, and 5

(please distribute to commissioners at or prior to tonight's hearing)

Dear Commissioners and Staff,

After reviewing the various submittals and Staff Reports for the above referenced agenda items it is clear that these three applications are all woefully deficient and we sincerely urge the Planning Commission to hold these Applications to the same high standards that the City of Scottsdale holds all Applicants.

Before discussing the specific issues with each of these three items it is important to discuss the overarching common deficiencies evident across all three. These Applications have in some form and combination not followed the City's long established notice provisions (e.g. failure to post a red hearing sign for example); have failed to provide Security Plans that are accurate and sufficiently detailed (e.g. failure to list current project participants as contacts, or submitting a security plan developed only for a cultivation use when both cultivation and dispensary uses are sought); and have simply failed to submit Applications that demonstrate a level of care and professionalism that the City has long demanded (e.g. taking other Applicants' copyrighted materials without their permission and trying to pass it off as their Application). In sum, the City has always demanded a higher level of care, accuracy, and accountability of its Applicants in all situations. This is especially troubling in light of the fact that these applications are for a medical marijuana dispensary business; a business that will touch the public in a very important way by providing medicine to sick people.

With that as background we offer you the following details that would merit having these Applicants revisit their applications and/or their methods and efforts to notice the public before these items are fully vetted. *At the very least we believe these items must be continued until such time as the applicants can address the following deficiencies:*

Agenda Item #3: 2-UP-2012 "True Health Care"

The substance of this Application was taken directly from a previous Applicant at this site last year and was used without that party's permission. We are unaware of any previous occurrence where the City of Scottsdale has permitted an Applicant to use another Applicant's copyrighted material without the owner of the material's permission. If you compare last year's Application by Serenity to this year's Application by the unaffiliated True Health Care you will find that they are nearly identical. Serenity informed the City that this was submitted without their permission and as far as we know the City has not required this Applicant to re-submit a new Application containing its own material. Page after page of the Narrative is simply a carbon copy of Serenity's copyrighted material. Why should this Applicant be empowered by the City to get a free ride off of the hard work and substantial investment that Serenity put into its Application? Copyright issues aside, do we really want to approve an Applicant for such a sensitive use when that Applicant cannot even prepare its own Application and clearly has a lack of understanding and knowledge regarding the substantive issues of medical marijuana. Certainly, approving this type of application would be unprecedented in Scottsdale. We urge you to insist that this Applicant prepare its own Application and demonstrate a knowledge and understanding of substantive issues before deciding upon the merits of this Application.

Agenda Item #4: 4-UP-2012 "Giving Tree Wellness"

To pass this item would truly be a first in the City. Giving Tree Wellness failed to post its red Notice of hearing sign as required in your City's Neighborhood Outreach Plan. In addition, the Staff Report doesn't even have the correct location for this site listed in it. It would be a matter of pure luck for any interested citizen to have figured out it needed to be here tonight to comment on this issue. If they were lucky enough to have figured out the correct date, a reference to the Staff Report would have shown them the site was located in a different place altogether. The site right now has a white sign indicating there was an open house. However any Citizen that is accustomed to the Scottsdale's long-standing practice would logically look for that red notice of hearing posting next to or in place of the white sign. No red sign, no need for a citizen to be concerned about an actual hearing.

If this was not enough, this group also submitted an outdated Security Plan that does not properly identify their current intention to do both cultivation and dispensing of medical marijuana. Their Security Plan is inaccurate, insufficient and simply cannot meet the City's use permit requirements. We urge you to insist that this Applicant follow the same public notice requirements that the City has required of all of its Applicants, and moreover require a security plan that contemplates all of the applicants intended uses as required by Section 1.403 of the City's zoning code.

Agenda Item #5: 5-UP-2012 "Valley Wellness Center"

This application is another example of a new Applicant resubmitting an Application that was previously submitted last year by a different party. While we have been unable to confirm that the submittal of this material was done without the permission of the previous applicant (as is the case in the case described above in Agenda Item 3), there is reason to believe that the re-submittal of the exact same materials by a new applicant gives rise to serious deficiencies in the application. Specifically, as part of its application, the Valley Wellness Center has re-submitted the exact same security plan used in the application last year. The contact information listed on the security plan still lists the previous applicants. This is a material issue considering the sensitive nature of the proposed use. If the City deems a security plan is a necessary element of an Application seeking medical marijuana land uses, certainly that information is relevant and material to ensure the health, safety, and welfare of the community. Valley Wellness Center has demonstrated that they have little regard for those concerns by failing to update even the most minor and obvious of details in this new application, which calls into question the character and fitness of an applicant seeking to operate this type of business.

Conclusion

Section 1.401 of the City of Scottsdale's Zoning Ordinance clearly states that "Conditional use permits . . . may be granted only when expressly permitted by this ordinance and, only after the Planning Commission has made a recommendation and the City Council has found . . . That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare . . ." Thus, prior to the City granting a CUP a determination must be made that the use will not have a detrimental impact to the public health, safety, or welfare of the community. Further, the conditions of Section 1.403(M) which must be satisfied before issuing a CUP for a medical marijuana dispensary, requires written public safety plans, subject to the City's approval, be provided. Given that each of these applications lacks materially relevant information, has failed to notify neighbors (and thus been unable to garner adequate feedback), and/or has been plagiarized/copied (demonstrating the applicant has little to no knowledge of the use they intend to employ), the City cannot adequately make a determination about the impact on the public health, safety, and welfare. Please continue to universally and equitably enforce your zoning code and application criteria. We ask that at a minimum you require that these applications be supplemented or revised and the proper noticing requirements have been met before allowing these applications to be considered for approval. Alternatively, given the failure of the applicants to adhere to the City's criteria and the clear demonstration that they do not intend to take the regulation of such a sensitive use seriously, please reject the applications.

Thank you,

M. Ryan Hurley

ROSE
|
LAW GROUP
pc


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Winner "Best places to work in Arizona"

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 Think green, please don't print unnecessarily

Lebovitz, Brandon

Cc: Curtis, Tim; Cookson, Frances; Chafin, Kim
Subject: FW: Portales Residential (76-ZN-1985#6)

From: Linda Bish [mailto:lindabaz@gmail.com]
Sent: Wednesday, March 14, 2012 2:21 PM
To: Planning Commission
Cc: Lebovitz, Brandon
Subject: Portales Residential (76-ZN-1985#6)

To the Honorable Members of the City of Scottsdale Planning Commission:

Regarding the proposed Portales Residential Apartment Complex, we would like the Commission to consider the following:

- 1) Nothing about the Portales Apartment Complex along Goldwater Blvd., in scale, or appearance, is remotely sympathetic to the buildings around it. The *vertical* construction upon Goldwater Blvd., provides essentially no "green", or "natural" areas for public view. This is in **direct contrast** to many new developments throughout Scottsdale, that take into account, exterior open and green aesthetics. As examples, the lovely grass, shrub, and tree area, provided along the canal, by the Waterfront Condos; or, the award winning green, terraced, property of Optima. Which brings us to point 2....
- 2) The Optima homeowners will be affording the Portales Apartments a most pleasant exterior setting for view. The Optima Camelview provides drivers along Goldwater, an almost park like drive to the south. Nothing could be further from this, with the building(s) as proposed. Homeowners at Optima, and drivers along Goldwater, will have a vertical wall of structure facing them to the north and west, DIRECTLY on the road. Essentially no setbacks or stepbacks to this massive building. The open areas the developer speaks of are largely interior roadways, walkways, and minimal courtyard spaces. Where is the *existing* community considered? The Scottsdale residents, and visitors to our city? The Planning Commission report explains the proposed plan makes allowances for neighbors along 3 sides. It is entirely void of any consideration for the neighbors at Optima.
- 3) Much is talked about pedestrian traffic, the bridge along Goldwater, etc. We believe the automobile and heavy truck traffic along Goldwater, carries far more implication of a negative sense (danger, noise, pollution) than the report suggests. The vertical structure will certainly create a sense of "tunneling" through this small in scale, heavily traveled corridor, in the very heart of Scottsdale. Is this what City planners consider an acceptable road condition? Once the building is up, directly on the road, then what? Will this be regarded as unthoughtful planning in the years ahead? We all know of places where this has occurred.
- 4) While it has been a difficult period in the housing market, it seems as though Scottsdale has jumped into the apartment approval business at a quick and voluminous pace. While projections show an uptick in desire for apartments, where is a *reasonable* position being shown? A time frame, or "balance", for the number of approvals, if you will. With so many units being approved, when will we see signs for "move-in specials" or empty spaces being willfully rented at far less than previously "planned"? Developers like to use terms such as "upscale", or "high end". Those are not fixed, and are used as "suggestive" terms. Apartments generally support a more transient citizenry, less concerned with the property they occupy. Is Scottsdale prepared for this downturn in "sense of community"? As a side note, upon talking with a community member where we live, they explained they own two condos for rent. They told us (on 3/13/12), this is the first year, out of 4, that is

showing little response to rental desirability, especially with pricing. They explained people are not desiring high priced rentals as the previous years had shown. Which brings us to a final point for today....

5) The Planning Commission Report, has on it's heading, "*Create a sense of community through land uses*". A developer, from out of the area, comes in, asks to have the zoning currently in place, to be modified, clearly, to suit *his* interests, and the City approves his request? With what justification, we ask. The *existing*, tax payers, who have put their money into the community as owners, are disregarded. If the property values, of an entire complex of owners, decrease further, and quality of life (again, as *owners*) is diminished by a building that invades the space, rather than enhance it, for the community at large, then the City Planners should take responsibility at some point.

We have been disappointed by the lack of information put forth to the community regarding these hearings. A small card in the mail, or a sign posted in an extremely inaccessible position on the property, is almost void of outreach to allow for response. A 120+ page report issued Monday of this week, is also questionable in the lack of time for response to it.

In closing, we appreciate the opportunity to be heard. We sincerely hope the Commission will take the above comments into serious consideration, as *we all* want Scottsdale to be the best it can be.

Thank you.

Sincerely,

Jerry and Linda Bish
7131 E. Rancho Vista Dr.
Scottsdale, AZ 85251

ph: 480-634-7576

City Notifications – Mailing List Selection Map



Map Legend:



Site Boundary



Properties within 750-feet

Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Twitter
- City Website-Projects in the hearing process

Portales Residential

76-ZN-1985#6

ATTACHMENT #8

RECOMMENDED STIPULATIONS, BASED UPON THE FINDING THAT THE CONDITIONAL USE PERMIT CRITERIA HAVE BEEN MET. SECONDED BY COMMISSIONER FILSINGER, THE MOTION CARRIED WITH A VOTE OF FOUR (4) TO THREE (3) WITH CHAIR D'ANDREA, VICE-CHAIR GRANT, AND COMMISSIONER EDWARDS DISSENTING.

6. 8-UP-2009#2 (Family Promise)

COMMISSONER BRANTNER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASE 8-UP-2009#2, PER THE STAFF RECOMMENDED STIPULATIONS, BASED UPON THE FINDING THAT THE CONDITIONAL USE PERMIT CRITERIA HAVE BEEN MET. SECONDED BY COMMISSIONER FILSINGER, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

REGULAR AGENDA

7. 76-ZN-1985#6 (Portales Residential)

Scott Unalp, Jerry Bish, Ron Harris, Meg Conger, Sam West, Bhavi Shah, Dennis Dugan, Kim Sullivan, Keith Loftin, Roxann Gallagher, Kim Sullivan, Glenn Sullivan, Drew Aguilina, and Lisa Aguilina provided comments on the proposal.

COMMISSONER BRANTNER MOVED TO MAKE A RECOMMENDATION TO CITY COUNCIL FOR APPROVAL OF CASE 76-ZN-1985#2, PER THE STAFF RECOMMENDED STIPULATIONS AS AMENDED REGARDING TRAFFIC CIRCULATION, AFTER FINDING THAT THE PLANNED BLOCK DEVELOPMENT (PBD) CRITERIA HAVE BEEN MET, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN. SECONDED BY COMMISSIONER CODY, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0); COMMISSIONER EDWARDS RECUSED.

NON-ACTION AGENDA

8. (Flood Plain Ordinance Update)

The Planning Commission tabled Item No. 8 to the next meeting, scheduled for March 28, 2012.

9. (Employment Districts 1-TA-2009 & 2-TA-2011)

Mr. Hadder provided a brief overview and presentation of the Employment Districts text amendments, 1-TA-2009 and 2-TA-2011. The Planning Commission asked general questions, which staff addressed.

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 8:43p.m.

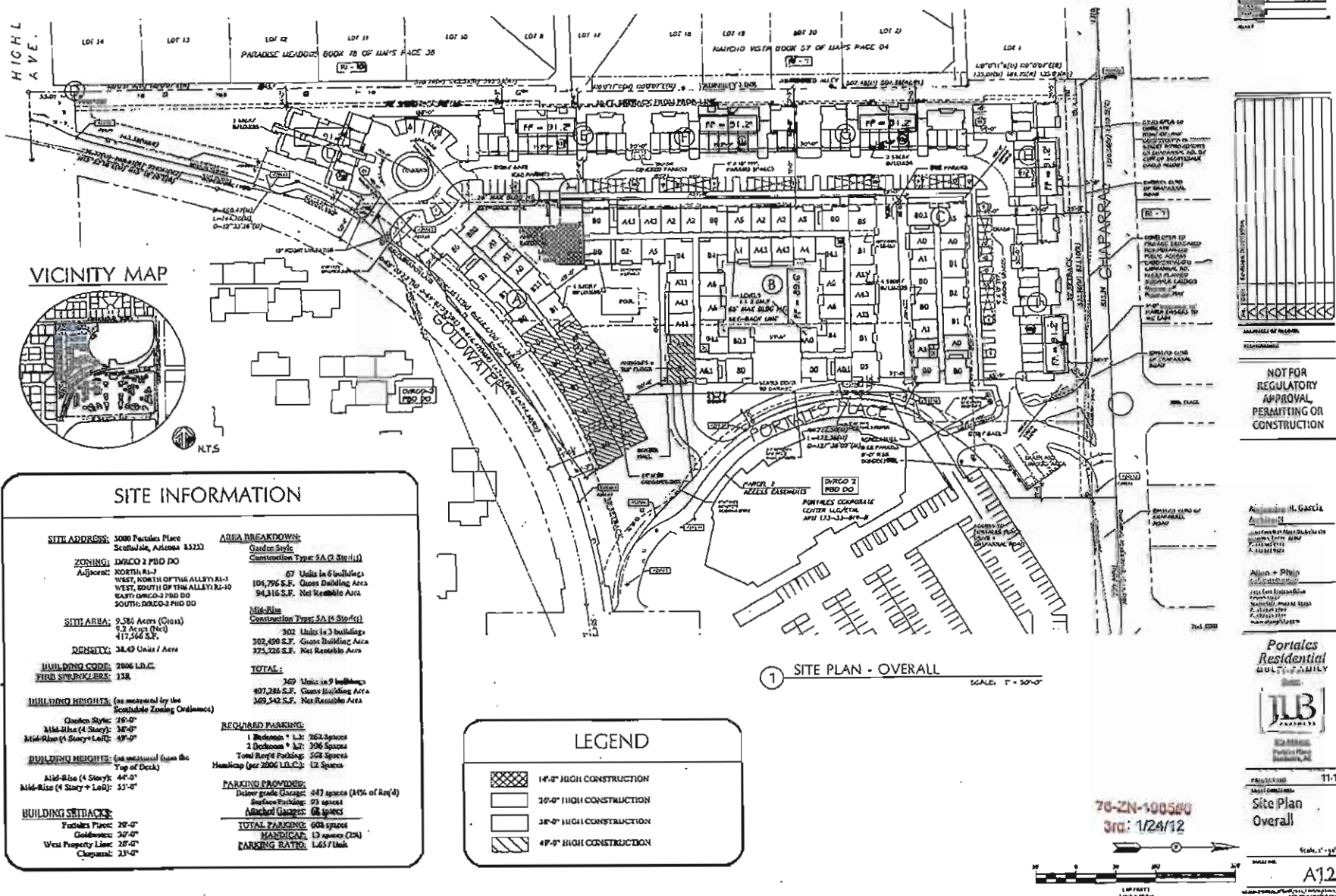
* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at scottsdaleaz.gov/boards/PC.asp

Portales Residential Development Plan
including the Development Standards

Portales Residential Development Plan including the Development Standards

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Exhibit 10:	Amended Development Standards Justification with Exhibits



NOT FOR
REGULATORY
APPROVAL
PERMITTING OR
CONSTRUCTION

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Portales Residential MULTI-FAMILY

JLB

PROJECT NO. 11-11
DATE: 08/14/11
Site Plan Overall

Scale: 1" = 50'-0"

A121

Project Narrative

Portales Residential

76 -ZN - 1985 #6

Location: West of the Southwest Corner of Scottsdale & Chaparral

Request for Site Plan Amendment to case 76-ZN-1985 #3

Prepared for:
JLB Partners

Prepared by:
Berry & Damore, LLC

John V. Berry, Esq.
Michele Hammond, Principal Planner

6750 E. Camelback Road, Suite 100
Scottsdale, AZ 85251

Date: November 3, 2011

Revised: January 19, 2012

I. Purpose of Request

This request is for a site plan amendment on a 9.5+/- acre site, located west of the southwest corner of Scottsdale Road and Chaparral Road (the "Property"); Goldwater Boulevard borders to the south. The existing zoning is D/RCO-2 PBD DO (Downtown/Regional Commercial Office – Type 2 Planned Block Development Downtown Overlay). The applicant intends to develop a unique luxury multi-family community on the 9.5+/- acre site consistent with the approved zoning, which allows up to 50 dwelling units/ acre.

The site is currently vacant after an uncompleted multi-family project was started in 2007. The proposal is for 369+/- high-end, luxury multi-family residential units (38.5 dwelling units/acre). The applicant is proposing two and four story buildings on site consistent with the maximum height requirements already put in place by the approved zoning case (76-ZN-85#3) in 2000. Although the proposed plan includes more density than the 126 units previously approved application for this site, the proposed height and density is less that allowed under the current D/RCO-2 PBD DO zoning designation.

II. Context/History

Surrounding Uses:

- **North:** Single-family residential, Camelback Park Estates subdivision zoned R1-7
- **East:** Commercial, Portales Corporate Center zoned D/RCO-2 PBD DO
- **South:** Multi-family residential with integrated office and retail, Optima Camelview zoned D/RCO-2 PBD DO
- **West:** Single-family residential, Rancho Vista subdivision zoned R1-7 and R1-10.

The entire 40-acre Portales Master Plan was originally approved in 1985 with a combination of retail, office, hotel and residential uses. Since the original zoning approval, the Portales Corporate Center was developed in 2000 and Optima constructed Optima Camelview starting in 2005 which includes approximately 740+/- residential units with an integrated office/retail component. Optima Camelview is currently selling out its last phase. The subject Property had historically been planned for hotel and multi-family residential development. The most recent zoning case, 76-ZN-1985#3, approved a site plan for multi-family residential in 2000, and although the Property has gone through numerous Development Review Board approvals (the most recent DRB approval was in 2005 by Grace Communities), the land remains vacant.

III. Proposed Development

The proposed plan is a luxury multi-family residential project with a density of 38.5 units/acre with an underground garage in the middle portion of the site. Adjacent to Goldwater Boulevard and Portales Place, the project is four stories, which then tapers down to two story residences on the west and north portions of the site.

The proposed project stays within the height boundaries of the zoning case approved in 2000. Starting on the eastern side, the community will be at its highest point of 50', which is immediately adjacent to a 65' office tower and the 65' tall Optima Camelview across the street. Built into an excavated hole, the project starts a transition from 50' lofts that are four stories but have a mezzanine level, creating 5 levels, to a height of 38'. The final transition is from 38' to 26' carriage houses, as the project turns into a more residential scale as it adjoins single family homes to the west. The 26' high carriage houses will be an attached garage product that people can park their car adjacent to their unit. Creating a massing transition from urban to suburban is a key component of the design.

The layout of the site encompasses view corridors for the office building, neighbors and the residents living on the site as well. The view corridors allows for visual relief that is uncommon in this type of urban setting. Within the view corridors, there will be themed courtyards that will include pools and outdoor activities, as well as private courtyards that are more quite and meditative in nature.

The architecture established for the project is in harmony with the modern aesthetic established with the Portales Master Plan. The project incorporates a strong horizontal theme with materials laid in horizontal directions, along with balconies, decks and awnings. The steel canopy mimics the steel decks of Optima Camelview. Structural brick is used that is four times larger than common brick. The color and warmth of the brick and use of sandstone is in harmony with the granite and sandstone shades of the neighboring buildings in the Portales Master Plan.

Access to the site is obtained in various ways. The primary entrance for visitors, neighbors and deliveries will be on Goldwater Boulevard, where traffic will enter a circular drive. From there, residents can drive to the carriage houses or down into the underground parking garage. Entry can also be obtained by turning onto the couplet road and down the off-ramp from Goldwater or through Rancho Vista Road. Also, Chaparral road will allow residents to enter the garage or carriage houses. Exiting happens the same way via Goldwater Boulevard, Rancho Vista or Chaparral Road.

The prior approved zoning case in 2000 and subsequent design review board cases had various residential vehicular access stipulations from the subject site exiting onto Chaparral Road. The last cases required exiting onto Chaparral Road be allowed in an east (right) or west (left) direction. There was also a proposed gate that prevented vehicular access from the adjacent office development so that office traffic could not go east bound (left) along with the residential traffic. The current proposed plan is different

than previous plans, which had a main entrance off of Portales Place Road. The proposed project has the main entrance to the community off of Goldwater Boulevard. This main entrance is where residents, guests, deliveries, and visitors will visit the property. This important distinction creates three possible entrances/exits from the community, which reduces the impact on all exits/entrances. On prior plans the two main entrances were off of Rancho Vista Road and Chaparral Road arriving at the property on Portales Place Road. The developer has met with numerous neighbors and it has been determined that an appropriate solution to minimize the traffic on Chaparral Road is to remove the gate and create a left in entrance and right-out only traffic exit on Chaparral Road. We request that stipulation #9 of Case 76-ZN-85#3 be modified which currently reads: "Except for the proposed residential access from the subject parcel, the only direct access to Chaparral Road shall align with 71st Place. The intersection shall be designed to preclude left turn exits. Residential only access shall be provided from the subject parcel as shown on the site plan submitted by Jeff Schwartz, the Empire Group and dated 6 January 2000. This access shall be gated to prohibit any ingress and egress from the Portales office or commercial development to Chaparral Road. The new stipulation would read: "Except for the proposed residential access from the subject parcel, the only direct access to Chaparral Road shall align with 71st Place. The intersection shall be designed to preclude left turn exits". Stipulation #4A is a prior stipulation to stipulation #9 and is in conflict, as it creates alignment at 71st street, which is not located at the traffic circle. Stipulation #4A reads: "Chaparral Road - Access from Chaparral Road shall be restricted to use by the proposed residential development only. This access shall intersect Chaparral Road at the planned traffic circle at 70th Place, as shown on the submitted site plan. Due to the conflict, we request that stipulation #4A be removed. This design solution will prevent traffic from either property to make a left turn and continuing east bound on Chaparral Road and prevent traffic generated by the subject site from crossing through the office parking lot.

In the prior zoning case, the developer was responsible for traffic calming measures and a storm water catch basin. The applicant intends to abide by the stipulation and will provide an in-lieu payment for the Chaparral Road traffic calming and drainage as stipulated in the previous zoning case. The ultimate configuration of Chaparral Road has mixed opinions from residents and the City. We want to work with the neighbors and City to come up with the best solution for traffic calming. Walkways within the development and along Chaparral Road have been designed to be six-feet in width. Along Goldwater Boulevard, the sidewalk will be eight-feet. Along the private drive, Portales Place Road, a six-foot sidewalk will be provided except where the sidewalk encroaches into the underground parking garage, where the width will be decreased to five-feet to allow adequate planting space for landscaping and trees. A transit stop is proposed at the southern entrance to the property that will include a shelter, bench and trash facility. Additionally, we are working with the City to provide a downtown trolley stop. The trolley waiting area will occur in the roundabout and seating will be provided next to the entry fountain, providing a cooling effect for riders.

Solid waste pick up areas occur along the carriage style units at two pick up points. Solid waste within the underground garage is deposited at pick up points in the garage that are

fed by trash chutes from the above floors. Trash is then distributed via a small hauler to a compactor on the northeast corner of the site for weekly pick up. Loading and unloading for packages and deliveries occur at the entrance of the site, where these items are delivered to the leasing office for resident pick up. Moving van loading and unloading occur along the interior drive isle within the community that are adjacent to ramps into the communities elevators. For oversize moving trucks, two loading areas are provided at the northeast corner, where moving items are brought to the elevator at building C or are moved along the top or bottom of the garage building and distributed to adjacent buildings. A mailroom will be provided within the underground garage for the residents in the high density portion of the community and within an enclosed area at the leasing office for those residents residing in the carriage units.

The garage entrance off of Goldwater Boulevard has been modified to make turning transitions easier. Of note, this turning condition is not unique to multifamily communities. In fact, the Optima Camelview has the same configuration on the entrance and exit onto Highland Avenue.

We have added two notes to the site plan that reference the right-of way. First, we will dedicate the necessary right-of-way that is consistent with the City's Chaparral Street Improvement design dated September, 2007 or whatever configuration is agreed upon by the neighborhood and City. Additionally, we will dedicate a non-motorized public access easement along Chaparral Road where planned sidewalks extend outside of the right-of-way.

IV. Adoption of Planned Block Development Overlay and Development Plan

Adoption of PBD overlay district and development plan: The Planning Commission shall hold a public hearing on a proposed application as provided for in sections 1.604 and 1.605. Prior to the hearing, the Development Review Board shall make a recommendation on any proposed modifications to section 5.3060, schedule B, site development standards, including any additional regulations which apply. After receiving the Development Review Board's recommendation, the Planning Commission shall recommend, and the City Council shall consider for adoption, an amendment creating a PBD overlay district only after making the following findings:

- 1. That the development plan is consistent with the adopted Downtown Plan and other applicable policies, and that it is compatible with development in the area it will directly affect.*

The proposed development plan meets the City of Scottsdale vision and values as well as the Land Use, Character and Design, Mobility and Economic Vitality principals as set forth in the Downtown Plan by creating a diversity of housing types within the Downtown Plan area. The housing creates living opportunities in the Downtown Area that reduce commute times and economically enhances downtown business with a

sustainable population. The project creates a pedestrian friendly environment that has been designed in tune with the human scale and creates an architecture befitting of the modernist palate of the Portales Masterplan.

2. *That the development plan contributes additionally, beyond the underlying regulations, to the urban design objectives articulated for downtown, and that deviations from the regulations that otherwise would apply are justified by compensating benefits of the development plan.*

The proposed development plan contributes to the City of Scottsdale's urban design objectives through a uniquely designed multi-family community. The architecture proposed for Portales Residential is in harmony with the modern aesthetic established with the Portales Master Plan by providing a palate of materials of glass, stone, brick and steel. The community has a strong horizontal aesthetic with banding, handrails, overhangs and steel canopies. The project also provides context appropriate transitions to the adjacent single-family residential to the north and west by transitioning height from adjacent building heights of 65' to 50', 38' and 26' on the subject property. The 26' perimeter buildings bring the urban scale of the Downtown Plans higher height and dense buildings softly to the edge of a single family neighborhood. The primary design objective is to create a residential community that will bring vitality and vibrancy to the Downtown, but also a design that complements the surrounding context. Although the zoning district allows up to 50 units/acre, this plan is unique in its approach to density, as it only provides approximately 38.5 units/acre. The result in the reduced density provides an additional contribution to the urban design by offering a vast amount of open space for a Downtown project, where none is required. The plan provides nearly 4 acres of open space on a 9.5 acre site and creates a unique living experience for residents in an urban downtown area, which is not likely to be recreated in future downtown projects.

3. *That the development plan includes adequate provisions for utilities, services, and emergency vehicle access, and, if warranted connections between underground parking facilities.*

The Portales Residential development team has met with City of Scottsdale to coordinate adequate provisions for utilities, services, and emergency vehicle access. The site plan has been designed to accommodate these requirements.

4. *That projected traffic generated by the development plan will not exceed the capacity of affected streets.*

The Portales Residential development team has met with City of Scottsdale Transportation Department and prepared a traffic study demonstrating that the traffic generated by the proposed use will not exceed the capacity of the affected streets. The

Portales Residential – Project Narrative
December 16, 2011

approved Portales Masterplan in 2000 encompassed AM Peak Hour Trips of 2,141, PM Peak Hour Trips of 2,465 trips and Total Daily Trips of 22,275. The final Portales Masterplan with the current proposed project will generate AM Peak Hour Trips of 1,185, PM Peak Hour Trips of 1,296 and Total Daily Trips of 11,996. The reduction from the original Portales masterplan to today's final mastplan account for a 45% reduction in AM Peak Hour Trips, a 47% reduction in PM Peak Hour Trips and 46% reduction in Total Daily Trips.

5. *That the development plan will not significantly increase solar shading of adjacent land in comparison with development under prevailing regulations.*

The Portales Residential development has been designed in a sensitive manner with a maximum height of 50' on the east end of the development stepping down from east to west, 38' and 26' respectively, providing a lower residential scale and building mass near the single family homes to the west. The building heights, along with the proposed setbacks of at least 20' are far enough away that it will not cast shadows and will create an insignificant increase in the solar shading of adjacent land.

Justification for the PBD Amended Development Standards is provided by separate document.

V. Downtown Plan Overview

Vision: Comprised of its unique neighborhoods, Downtown Scottsdale is a dynamic city center which recognizes its western heritage while boldly looking towards its metropolitan future.

LAND USE

The Portales Residential project meets the Land Use goals and policies of the Downtown Plan as identified below:

GOAL LU 1:

MAINTAIN DOWNTOWN SCOTTSDALE AS THE COMMERCIAL, CULTURAL, CIVIC, AND SYMBOLIC CENTER OF THE COMMUNITY TO ENSURE A VIBRANT MIX OF MUTUALLY SUPPORTIVE LAND USES.

Policy LU 1.2.

Maintain Downtown as a year-round, 24-hour highly functional mixed use center, containing areas of different densities, architectural styles, and land uses that support the needs of Scottsdale's residents and visitors.

Portales Residential – Project Narrative
December 16, 2011

The Portales Residential development will provide a much needed residential rental component for the residents of Scottsdale. At only 38.5 units/acre, Portales Residential is a unique downtown proposed residential community, which is less dense than some of the more recently approved residential projects in Downtown Scottsdale (Blue Sky 174 units/acre, Optima Sonoran Village 50 units/acre, Scottsdale Waterfront 77 units/Acre). With the new proposed downtown zoning ordinance, it is likely that a downtown project with this reduction in density may not be seen again. This increase in residents will have an impact on the livability of downtown Scottsdale, as retail, entertainment, galleries and restaurant business will benefit and have additional stability that maintains the downtown area as the symbolic center of the community.

GOAL LU 2:

PROMOTE THE DEVELOPMENT OF DOWNTOWN AS A COLLECTION OF MIXED-USE URBAN NEIGHBORHOODS.

Policy LU 2.2.

Support interconnected pedestrian oriented urban neighborhoods that are comprised of a balanced mix of activities and land uses within optimal walking distance (approximately one-quarter mile).

The Portales Residential site (9.5+/- acres) is the last component of the 40-acre Portales Master Plan originally approved in 1985 and is located on the northern end of the Downtown Plan boundary. The site is ideal for creating a pedestrian oriented residential community that is within walking distance from numerous retail and restaurant opportunities. Scottsdale Fashion Square Mall is approximately 400' away from the southern edge of the project, which opens up to an array of interconnected pedestrian linkages and Downtown amenities including The Waterfront, 5th Avenue shops, Old Town, and the Main Street galleries. The pedestrian connectivity is enhanced by 6' and 8' sidewalks that are adjacent and through the community. Pedestrian connectivity from the adjacent single family neighborhood is achieved by direct sidewalk access that leads to the Marshall Way Corridor under the Goldwater bridge couplet through Optima Camelview to the Scottsdale Fashion Square. Strengthening connections between various land uses is a goal of the downtown plan.

Policy LU 2.7.

Maintain, enhance, and expand the development of a Downtown Regional urban neighborhood with primary land uses consisting of regional/community serving commercial uses, as well as larger scale housing developments. Centered around major regional retail, this urban neighborhood will strengthen Downtown Scottsdale as a regional and community destination. The greatest intensity of Downtown development may be accommodated in this urban neighborhood.

The land use designation for the subject property is Downtown Regional Type 2. The Downtown Regional Type 2 land use is intended to support the highest intensity/density within the Downtown area. The proposed development, which is 400' from Scottsdale Fashion Square, will provide a much needed residential component to the Downtown

area, which will support the existing and future retail and commercial uses in Downtown Scottsdale and further strengthen its community and regional destination appeal. At 38.5 units/acre, it is also compatible with the surrounding single family residential as it transitions the urban core buildings in the Downtown Area Plan.

GOAL LU 3:

CONTINUE THE USE OF DEVELOPMENT TYPES TO GUIDE THE PHYSICAL AND BUILT FORM OF DOWNTOWN SCOTTSDALE.

Policy LU 3.2.

Support higher scale Type 2 development in all non-Downtown Core areas of the Downtown.

The Portales Residential site is a Type-2 development outside of the Downtown Core. As such, higher scale and density is promoted. The proposal is for 38.5 dwelling units/acre which will provide an appropriate transition from the Downtown density found at the adjacent Optima Camelview (50 dwelling units/acre) to the single-family residential located north and west of the site.

GOAL LU 4:

ENCOURAGE DOWNTOWN LAND USE DEVELOPMENT FLEXIBILITY.

Policy LU 4.1.

Retain, expand, or modify as necessary, flexibility in Downtown zoning, development standards, and incentives to achieve the goals of the Downtown Plan.

The site is zoned D/RCO-2 PBD DO and with the "PBD" (Planned Block Development) overlay the applicant is allowed to request amended development standards in order to achieve unique, context appropriate designs that may deviate from the standard Downtown Ordinance requirements. The previous zoning case for this site did have amended development standards (76-ZN-1985#3) specific to the site plan provided under that case. With this request for site plan amendment, the applicant is seeking modifications to the amended development standards to address their specific design and responsiveness to the adjacent Downtown character and unique development considerations for the site.

GOAL LU 6:

PROMOTE DIVERSITY IN DOWNTOWN HOUSING OPTIONS.

Policy LU 6.1.

Develop a variety of housing types such as apartments, condominiums, lofts, town homes, patio homes, and live/work units.

The Portales Residential development is proposing 369+/- high-end luxury multi-family residential apartment units which will provide a housing component that is in demand in Downtown Scottsdale.

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CHARACTER & DESIGN

The Portales Residential project meets the Character & Design goals and policies of the Downtown Plan as identified below:

GOAL CD 1:

THE DESIGN CHARACTER OF ANY AREA SHOULD BE ENHANCED AND STRENGTHENED BY NEW DEVELOPMENT THAT PROMOTES CONTEXTUAL COMPATIBILITY.

Policy CD 1.1.

Incorporate, as appropriate, in building and site design, the distinctive qualities and character of the surrounding, and/or evolving context.

The Portales Residential development consists of 9 buildings ranging in various heights. Starting on the eastern side of the property, adjacent to the existing 65' (6 levels) office tower and 65' Optima Camelview (7 levels) condominiums, the Portales Residential community will have its highest buildings of 50' (4 stories with a mezzanine level creating 5 levels). As the development transitions to the west, the buildings will step down to 38' (4 levels) and then 26' (2 level carriage units) along the far northern and western edges of the development. The applicant created this "stepped" design in response to the surrounding context and to provide appropriate massing and sensitive transitions. Creating a transition from the urban Portales Master Plan character to the suburban single-family character was a key component of design.

The site plan includes view corridors for the office buildings, neighbors and future residents of the Portales Residential development. The view corridors allow for breaks between the buildings, visual relief and architectural interest. The view corridors seen in the vertical plane translate to open space corridors on the site plan which will have a range of amenities including pools, outdoor activities, private courtyards, abundant landscaping and pedestrian linkages for its residents. The open space is nearly 4 acres on a 9.5 acres site, which is uncommon in a high density urban environment.

The architecture established for the community is in harmony with the modern aesthetic established with the Portales Master Plan. The proposed building materials, color palette, placement of windows, balconies, and canopies complement the existing Camelview condominiums and Portales office buildings, while still providing a sensitive transition and compatible character to the adjacent single-family residential.

Policy CD 1.4.

Promote Downtown urban and architectural design that is influenced by, and responds to, the character and climate of the Sonoran Desert.

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The proposed design responds to the character and climate of the Sonoran Desert in the following ways: incorporates southwest appropriate building materials (such as plaster, brick, steel and sandstone), a color palette in desert colored hues, incorporates shade canopies/awning details and balconies that protect residents and units from the sun, provides underground parking, which minimizes the effect of a heat island, provides continuity among adjacent uses through site design and Desert landscaping, enhances pedestrian connectivity within the community and Downtown amenities, celebrating open space areas, and is designed with an emphasis on the human-scale.

Policy CD 1.5.

Encourage urban and architectural design that addresses human scale, and provides for pedestrian comfort.

Urban design is created by the density and 4 story buildings, a portion of which are 5 levels with the mezzanine) adjacent to the urban context of Optima Camelview and the Portales office buildings, which are 7 and 6 stories respectively. The height creates drama and a grand scale, however, the human scale is emphasized with variations in height, balconies, windows and 3-light panel window doors that look out into courtyards and open spaces. The human scale is a critical component to the design with large expansive sidewalks and walkways to 3 unique courtyards. The courtyards will be articulated with landscape and public amenities such as gazebos, outdoor fireplaces, pool, fountain, umbrellas, and a variety of seating areas, which make for a resort style living environment. Additionally, individual courtyards are provided for the units that face the interior drive isle and along Goldwater Boulevard, which enhances the human scale.

GOAL CD 2:

DEVELOPMENT SHOULD SENSITIVELY TRANSITION IN SCALE, HEIGHT, AND INTENSITY AT THE DOWNTOWN PLAN BOUNDARY AND BETWEEN ADJOINING URBAN NEIGHBORHOODS OF DIFFERING DEVELOPMENT TYPES.

Policy CD 2.1.

The scale of existing development surrounding the Downtown Plan boundary should be acknowledged and respected through a sensitive edge transition buffer, established on a location specific basis, that may include transitional development types, landscape buffers, and sensitive architectural design solutions to address building mass and height.

A critical component to the design was a need to take the urban context of Optima Camelview and the Portales Office buildings, which are 7 and 6 stories in height and create a transition to neighboring single family homes. The design of the Portales Residential community starts on the far-east end with a four story-mezzanine structure, that creates 5 levels, that is 50' in height (adjacent to 65'). Then the buildings step down to 38' in height in the western direction. Once pass the interior drive isle, the height is transitioned further down with a 2 story, 26' high carriage units with attached garage.

This minimizes the impact on the single family home scale and creates the desired transition sought by the downtown plan.

GOAL CD 3:
***DOWNTOWN DEVELOPMENT SHOULD RESPECT AND RESPOND TO THE
UNIQUE CLIMATE AND CONTEXT OF THE SOUTHWESTERN SONORAN
DESERT.***

Policy CD 3.1.

Enhance outdoor pedestrian comfort through microclimatic design that incorporates a variety of shade conditions, landscape, and features that are drought tolerant, as well as offer attractive spaces, and passively cooler temperatures.

The Portales Residential design plays heavy emphasis on quality outdoor spaces. The design includes a range of outdoor amenities including pools, outdoor activity areas, private courtyards and private balconies. These courtyards and spaces are enhanced with large overhangs and shade structures such as gazebos, umbrellas and resort style lounge furniture. Additionally, pedestrian connectivity throughout the community is a key component of the design as well as connectivity to the surrounding Downtown services, retail and restaurants. Pedestrian areas are shaded by building heights, overhangs, carports and shading created by the various trees on the site. The plant palette for the development will incorporate drought tolerant, low-water use plant materials with an emphasis on providing shade and pedestrian scaled species, such as mesquites, sissoo trees and jacaranda.

GOAL CD 4:
***STRENGTHEN PEDESTRIAN CHARACTER AND CREATE STRONG
PEDESTRIAN LINKAGES.***

Policy CD 4.1.

Develop an attractive, interconnected network of safe and walkable pedestrian linkages to, within, and between, the various Downtown urban neighborhoods.

Pedestrian connectivity is achieved on the site as 6' sidewalks and walkways are provided from the interior drive isle of the site that allows for connectivity to all buildings on the site. Inside the podium structure, 6' walkways are provided that allow for access to all of the courtyards and open space areas.

Policy CD 4.2.

Development should demonstrate consideration for the pedestrian by providing access and connections to adjacent developments.

Sidewalk connections will be provided along Chaparral Road with a 6' walkway, which connects with the existing sidewalk from the Portales Office Building that goes to Scottsdale Road. Goldwater Boulevard access is achieved with an 8' sidewalk that takes residents safely to Scottsdale Fashion Square. Additionally, a 6' sidewalk will take adjoining neighbors from Chaparral Road down onto Portales Place Drive, which will lead them to the Marshall Way corridor and through to Scottsdale Fashion Square. Additionally a network of sidewalk connections will be provided throughout the development encouraging pedestrian movement.

GOAL CD 6:
INCORPORATE A REGIONAL LANDSCAPE PALETTE THAT COMPLEMENTS DOWNTOWN'S URBAN CHARACTER.

Policy CD 6.1.
Downtown landscape elements should project a desert oasis design character, providing an abundance of shade, color, varied textures and forms.

The plant palette for the development will incorporate drought tolerant, low-water use plant materials with an emphasis on providing shade and pedestrian scaled species. The quality of open space will be vital to the success of this residential development. The plant palette will be commensurate with the Portales Master Plan and will uphold the City's policy for providing a "desert oasis" design character. The plant materials will be integrated with the design of the buildings and will complement the existing neighborhood with regard to texture, color, scale, density, and placement.

GOAL CD 8:
IMPLEMENT HIGH QUALITY DESIGN IN DOWNTOWN ARCHITECTURE.

Policy CD 8.1.
Encourage contemporary and historical interpretations of regional Southwestern Sonoran Desert architectural traditions.

The Portales Residential development embodies a contemporary modern architectural design with a four story structure that creates a variety of open spaces and view corridors for adjacent neighbors. The curvature of the building along Goldwater creates an interesting sight line and building plane as it creates a courtyard with the adjacent U-shaped structure next to it. The planes and angles create a striking visual display that is articulated with roof overhangs, balconies and glass doors from the units. Selection of building materials (such as plaster, brick, steel, concrete and sandstone) all incorporate a regional southwest palate as the colors are based in desert color hues. The elevations have variety and textures with all of the different materials that cast shadows and interest. The design incorporates up to 6' steel overhangs, canopies, balconies/patios that are from 3' to 10' in depth, and numerous windows and pedestrian scaled elements all of which speak to the regional Southwestern Sonoran Desert character and architectural tradition encouraged by the City.

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Policy CD 8.2.

Promote the "Scottsdale Sensitive Design Principles" in the creation of architecture in Downtown.

Portales Residential intends to promote and uphold the principles of design set forth in the "Scottsdale Sensitive Design Principles" established by the City as identified below.

- 1. The design character of any area should be enhanced and strengthened by new development.*

Response: Portales Residential gives special consideration to the distinctive qualities of Downtown Scottsdale by picking up the distinct architectural character of surrounding properties such as Optima Camelview and the Portales Office Building by the use of materials and strong horizontal lines in the design. The design is sensitive to the range of development types in the area. Creating an appropriate massing transition from urban to suburban was a primary component of the design by transitioning from 50' in height on the east end of the site to 26' in height adjacent to single family homes to the west.

- 2. Development, through appropriate siting and orientation of buildings, should recognize and preserve established major vistas, as well as protect natural features such as:*

Response: Although the site, being in Downtown Scottsdale, does not have natural features like properties in North Scottsdale, the site layout preserves view corridors for the office building to Camelback Mountain, neighbors as well as the future residents of the Portales Residential community. The view corridors allow for visual relief that is rarely found in this type of urban setting.

- 3. Development should be sensitive to existing topography and landscaping.*

Response: The site was previously excavated and the proposed development will be nestled into the site, promoting sensitive development and appropriate transitioning. Landscaping will be consistent with the existing Downtown Scottsdale plant palette including, but not limited to, Sissoo, Arizona Ash, Jacaranda, Desert Ironwood, Palo Brea and Mesquite trees.

4. *Development should protect the character of the Sonoran desert by preserving and restoring natural habitats and ecological processes.*

Response: This standard is not applicable to the subject property which is a vacant, excavated site in Downtown.

5. *The design of the public realm, including streetscapes, parks, plazas and civic amenities, is an opportunity to provide identity to the community and to convey its design expectations.*

Response: The proposed streetscapes will provide continuity with adjacent existing development through the use of landscaping, paving materials, lighting and pedestrian seating areas. The landscape palette mentioned above will be consistent with established Downtown landscape themes.

6. *Developments should integrate alternative modes of transportation, including bicycles and bus access, within the pedestrian network that encourage social contact and interaction within the community.*

Response: Portales Residential is designed to be a pedestrian friendly environment encouraging residents to enjoy the project amenities and common open space, and take advantage of active connectivity to Downtown Scottsdale. A network of sidewalks is proposed along Chaparral Road, Goldwater Boulevard and Portales Place Drive as well as throughout the development to encourage pedestrian and/or bicycle movement thereby reducing overall vehicular trips. Additionally, there has been initial discussion with City Staff regarding a trolley stop on the Portales Residential site, which the applicant supports.

7. *Development should show consideration for the pedestrian by providing landscaping and shading elements as well as inviting access connections to adjacent developments.*

Response: Portales Residential will reflect human scale and integrate abundant landscaping, building overhangs and shade elements to embrace the pedestrian and celebrate the unique climate of the southwest, while encouraging connectivity to adjacent developments.

8. *Buildings should be designed with a logical hierarchy of masses:*

Response: The hierarchy of building masses proposed for Portales Residential controls the visual impact of the buildings' heights and sizes and provides as a sensitive transition from existing urban to suburban development adjacent to the site.

9. *The design of the built environment should respond to the desert environment:*

Response: The design of Portales Residential integrates abundant common open space and private outdoor living spaces to allow its residents to enjoy the Sonoran Desert climate. The project incorporates a strong horizontal theme with structural brick laid in horizontal directions, along with balconies, decks and awnings. The color and warmth of the brick and use of sandstone is in harmony with neighboring buildings and overall desert context.

10. *Developments should strive to incorporate sustainable and healthy building practices and products.*

Response: Sustainable design strategies and building techniques, which minimize environmental impact and reduce energy consumption, will be considered for the development of Portales Residential.

11. *Landscape design should respond to the desert environment by utilizing a variety of mature landscape materials indigenous to the arid region.*

Response: The selection of plant materials will be indigenous to the arid region and compatible with the established character of Downtown Scottsdale with respect to scale, density and arrangement.

12. *Site design should incorporate techniques for efficient water use by providing desert adapted landscaping and preserving native plants.*

Response: Portales Residential will incorporate a low water use plant palette that is evocative of the Sonoran Desert. There are no native plants currently on site.

13. *The extent and quality of lighting should be integrally designed as part of the built environment.*

Response: Lighting will be designed in a manner that is respectful of the surrounding context, minimizing glare and will provide a comfortable, safe environment for the pedestrian.

14. *Signage should consider the distinctive qualities and character of the surrounding context in terms of size, color, location and illumination.*

Response: Signage themes will be low scale and appropriate to the Downtown context. Project identification will key off the proposed architectural character of the buildings.

Policy CD 8.3.

Promote the principles of design in the "Downtown Urban Design and Architectural Guidelines" in all Downtown development.

Portales Residential intends to promote and uphold the principles of design set forth in the "Downtown Urban Design and Architectural Guidelines" established by the City.

MOBILITY

The Portales Residential project meets the Mobility goals and policies of the Downtown Plan as identified below:

GOAL M 1:

DEVELOP COMPLETE STREETS THROUGH PUBLIC AND PRIVATE INFRASTRUCTURE INVESTMENTS AND IMPROVEMENTS.

Policy M 1.3.

Upgrade sidewalks and intersections to ensure continuity and consistency throughout Downtown. Improve pedestrian crossing facilities on major roads and at major intersections.

The Portales Residential development is designed to be a pedestrian friendly environment encouraging residents to enjoy the open space amenities and pathways throughout the project. With the development of Portales Residential, sidewalk connections will be provided along Chaparral Road, Goldwater Boulevard and Portales Place Drive providing connectivity to Downtown amenities and services (for residents and neighbors alike). Additionally, a network of sidewalk connections will be provided throughout the development to encourage pedestrian movement and minimize vehicular trips.

GOAL M 2:

CREATE COMPLETE, COMFORTABLE, AND ATTRACTIVE PEDESTRIAN CIRCULATION SYSTEMS.

Policy M 2.2.

Support pedestrian oriented design that encourages strolling, lingering, and promenading activities, by including pedestrian comfort amenities such as shade, seating, shelter, and lighting, especially in areas where there is a high concentration of pedestrian activity.

See M 1.3.

Seating areas will be provided in appropriate locations throughout the development to create "rest stops" for pedestrians. There has been initial discussion with City Staff regarding a trolley stop on the Portales Residential site, which the applicant supports. Seating and shelter associated with this potential trolley stop would be provided.

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Landscape lighting will be integrated throughout the entire community to create a safe environment and improve night-time way finding for pedestrians. Seating and conversations areas will be created in the courtyards and open space areas of the development.

ECONOMIC VITALITY

The Portales Residential project meets the Economic Vitality goals and policies of the Downtown Plan as identified below:

GOAL EV 1:

SUPPORT DOWNTOWN'S ECONOMIC ROLE AS A HUB FOR ARTS, CULTURE, RETAILING, ENTERTAINMENT, TOURISM, AND EVENTS.

Policy EV 1.4.

Promote Downtown as a creative environment in which people can live, work, and pursue leisure activities.

The integration of a luxury residential rental community in the Downtown Scottsdale with a focus on connectivity promotes the City's goal of further creating a retail, cultural, entertainment and event hub in Downtown. Additional residential units promote sustainability and the "live, work, play" philosophy identified throughout the Downtown Plan.

GOAL EV 2:

PROMOTE PRIVATE INVESTMENT AND ATTRACT NEW DEVELOPMENT TO DOWNTOWN.

Policy EV 2.1.

Encourage new development and reinvestment that maintains Downtown's economic edge in the region.

There is a strong demand for luxury residential rental units in Downtown Scottsdale. The proposed 369+/- units will support existing Downtown restaurants, services, retail, entertainment and cultural amenities contributing towards the vitality and economic viability of Downtown. Portales Residential is a few minute walk from Scottsdale Fashion Square Mall which connects to a variety of Downtown amenities including The Waterfront, 5th Avenue shops, Old Town, and the Main Street galleries.

Policy EV 2.2.

Promote a mix of daytime/nighttime activities year-round through new development that includes vertically mixed land uses and a diverse range of housing development.

The Downtown Plan recognizes that variety and quality of housing is crucial to the stability of the local economy. Providing a range of housing types secures Scottsdale's

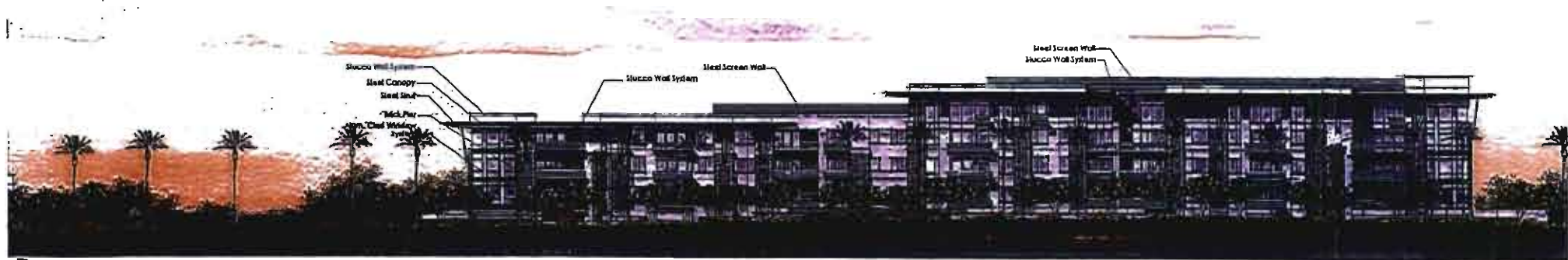
future as a desirable place to live, work, play and visit based on a foundation of a dynamic, diversified and growing economic base that complements the community. The integration of residential rental units complements the existing Portales Master Plan and nearby Downtown amenities. Additional housing will promote the retention of existing business as well as the development of new ones.

VI. Conclusion

In summary, the request is for a site plan amendment on a 9.5+/- acre site zoned D/RCO-2 PBD DO in Downtown Scottsdale. The applicant intends to develop a unique multi-family community consistent with the approved zoning and in conformance with Scottsdale's Downtown Plan. The applicant is proposing 369+/- high-end, luxury multi-family residential units consisting of two and four story buildings in conformance with the maximum height requirements already in place by the approved zoning case (76-ZN-85#3) in 2000. If approved, the anticipated construction start date would commence during the first quarter of 2013.



A East Site Elevation



B Southeast Site Elevation



PORTALES RESIDENTIAL | Elevation Studies
CHARACTER PACKAGE



ALISH INTERIORS
October 17, 2013
ap 118
JLB East Streets Group
Project Phase
Expenditure Approved 10/23/13
450 300 1100 P.O. Box 430 800 5800
www.alishinteriors.com

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76-ZN-1985#6
2nd: 12/19/2011



A Carriage House Neighborhood Elevation



PORTALES RESIDENTIAL | Carriage House Elevation Studies
CHARACTER PACKAGE



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Scottsdale Portales Residential

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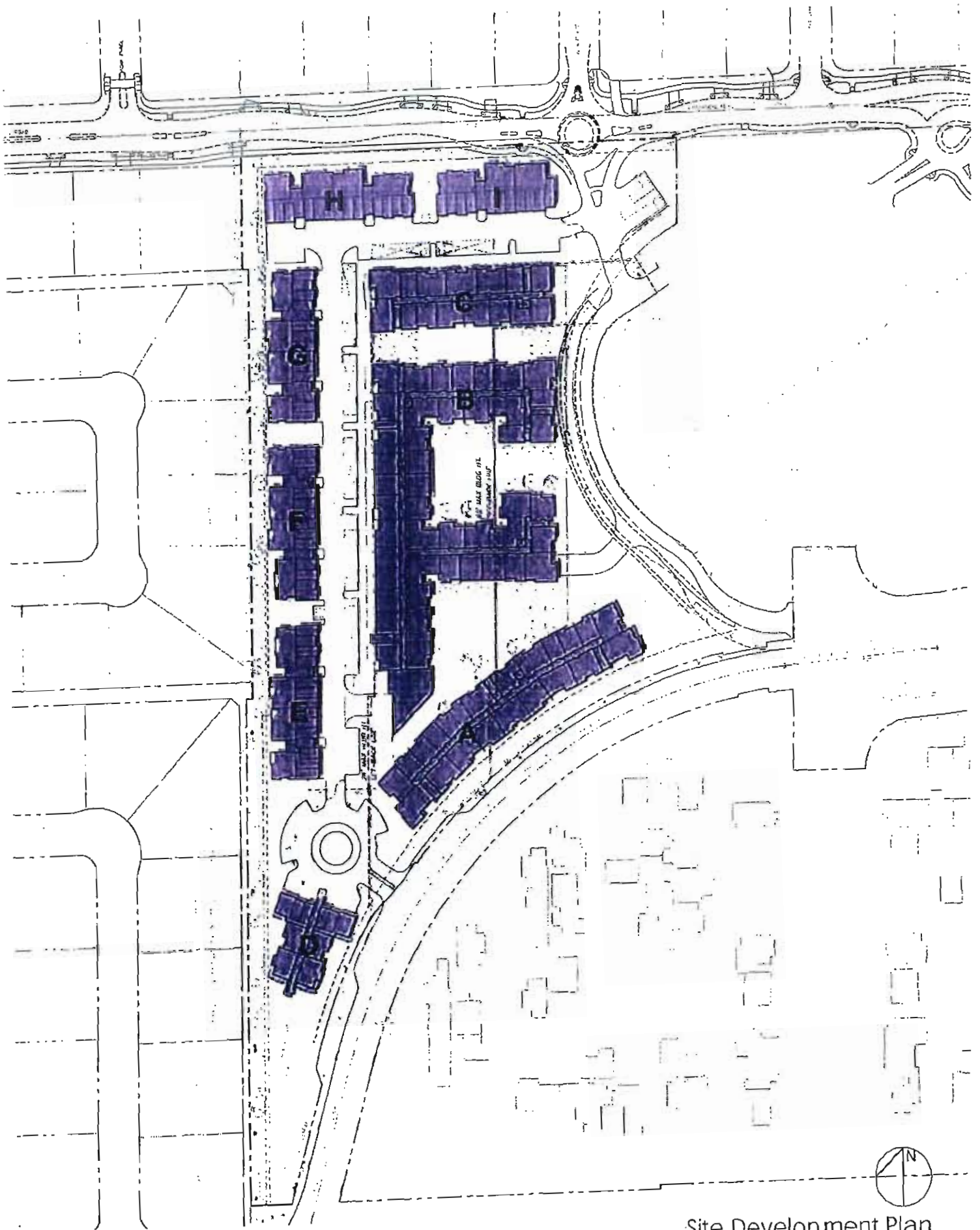
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76-ZN-1985#6

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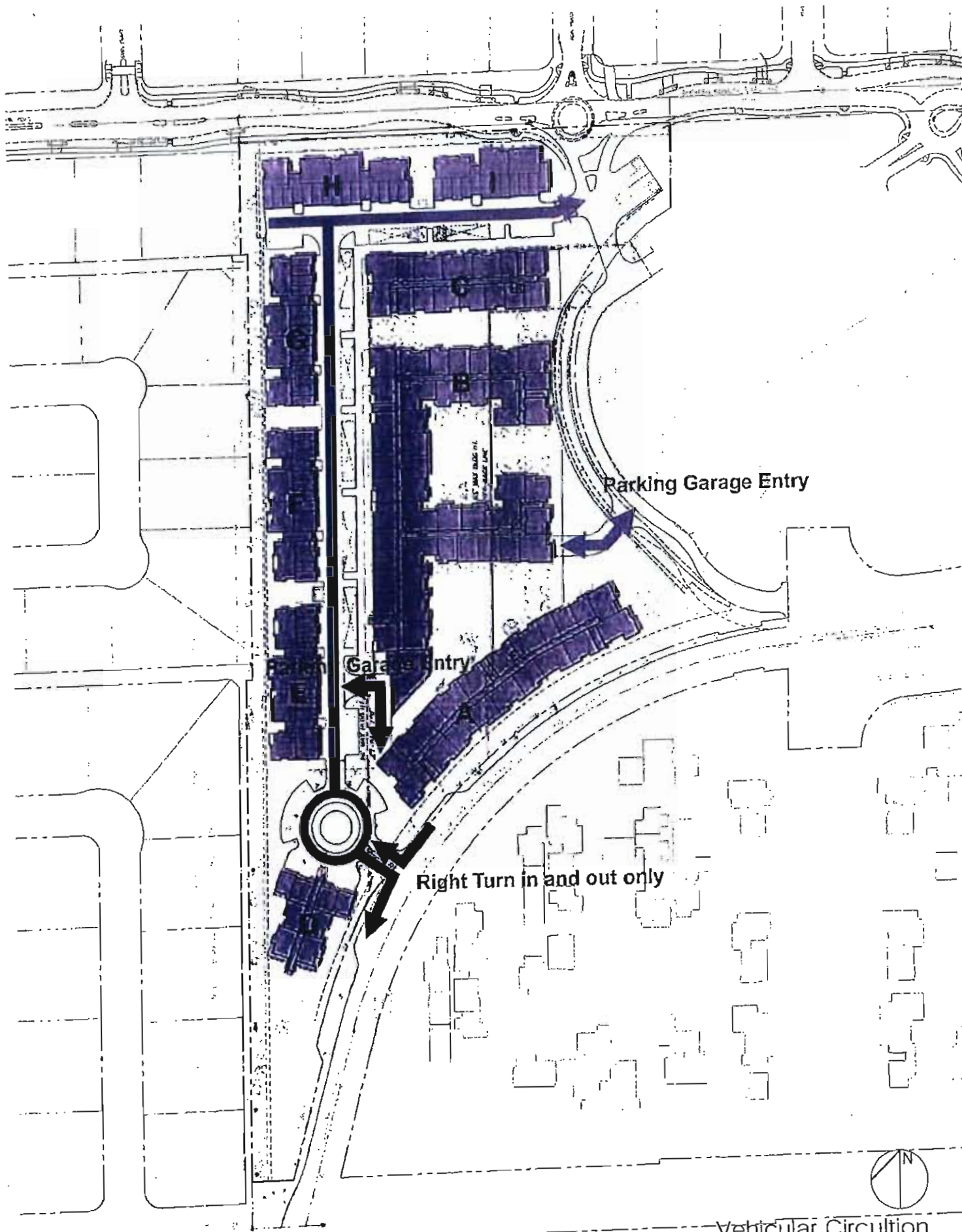
ATTACHMENT 13

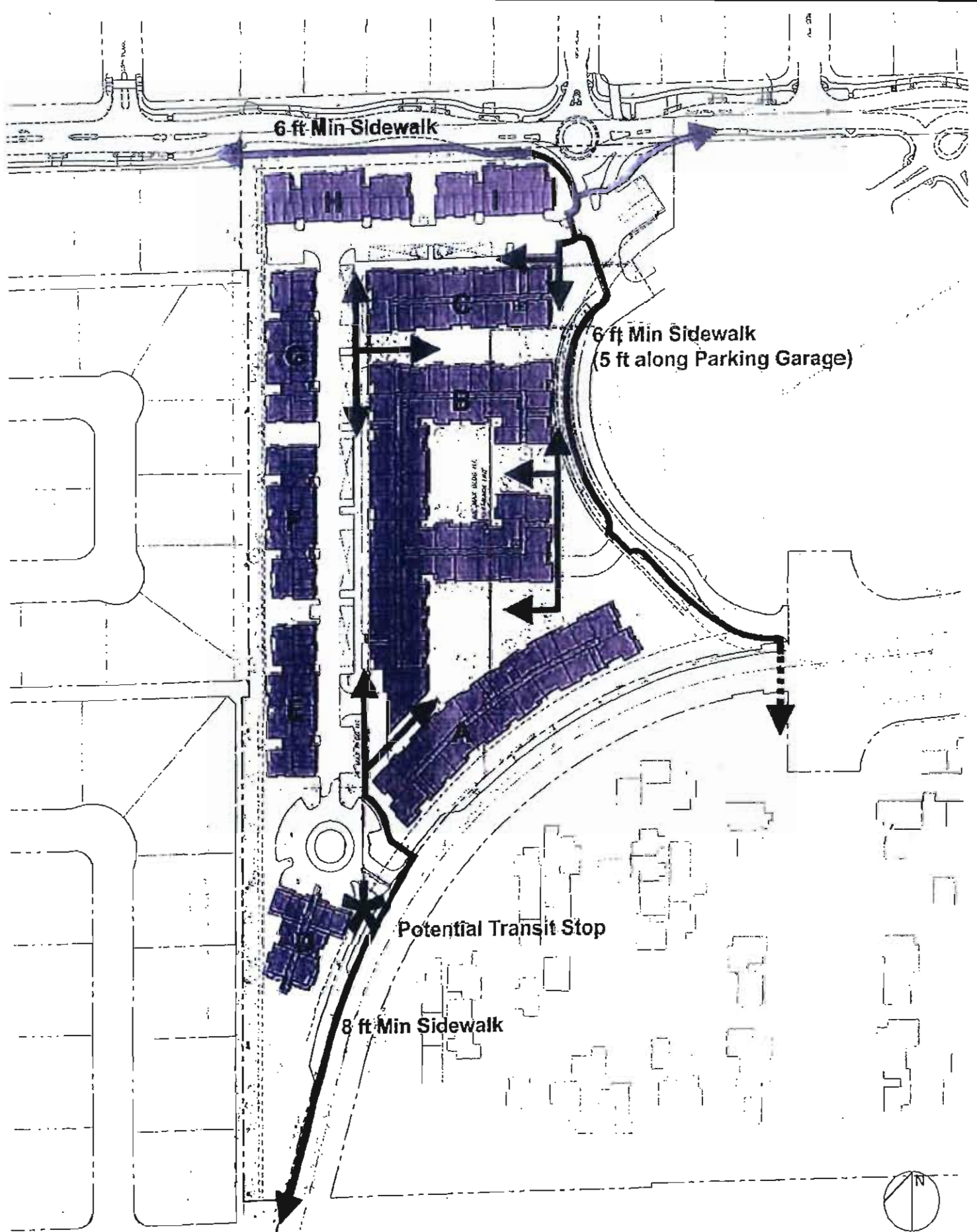


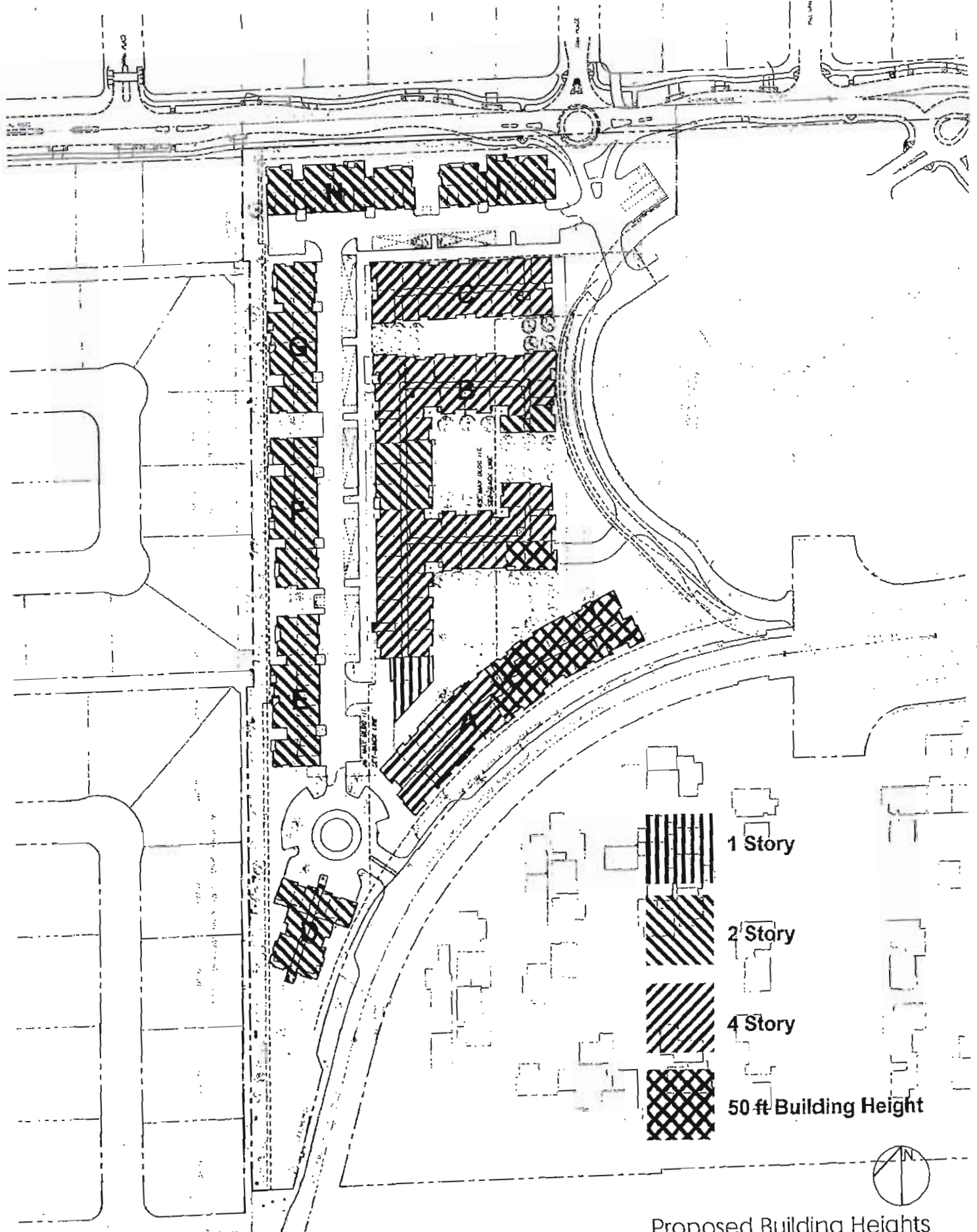
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Site Development Plan
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SITE DEVELOPMENT STANDARDS COMPARISON OF SCHEDULE B

SITE DEVELOPMENT STANDARD	ALLOWED IN TYPE 2 AREA	ZONING CASE 76-ZN-85 #3 MODIFICATIONS	CURRENT REQUEST
I. Development requirements			
	1.8 Max,	None	None
II. Site Requirements			
1. Min Site Area	None	None	None
2. Min Front Setback	30 ft from curb	Modified to minimum 18 ft at deceleration lane	Modification Request 1
3. Min Interior Side	None	None	None
4. Min Corner Side	20 ft from curb	None	None
5. Min Rear Setback	None	None	None
6. Landscaping	No Minimum	None	None
7. Parking	Per Article IX	None	None
8. Signs	Per Section 3061 (k)	None	None
III. Building Design			
1. Basic Max Height	NA	None	None
2. Bonused Max Ht	65 ft (5 levels)	None	None
3. Building Size Maximum	350 ft any side; 550 feet any adjacent two sides; 200 ft above 38 ft elevation	None	Modification Request 2
4. Spacing Between Buildings	10% of two adjacent sides	Modified to 8 ft Min	Modification Request 3
5a. Large Walls-Vertical	38 ft w/o added setbacks	Modified to 58 ft	Modification Request 4
5b. Large Walls-Horizontal	200 ft w/o break	Modified to 222 ft.	Modification Request 2
6. Building Envelope	1:1 to 38ft; 2:1 above	None	None
7. Encroachment Beyond Inclined Stepback Plan	Max. Vert Encroachment 15' for max. 25% bldg length	None	Modification Request 6
8. Building Lines	Min of 25% of area of front face below 26' at bldg setback at first level, 25% of width of projected elevation must be 10ft behind setback	Delete Requirement so that the requirement corresponds with the site plan	Modification Request 7

Request 1:

**Section 5.3060, Schedule B, II. 2 Minimum Front Building Setback,
Section 5.03061 H. Buildings fronting on Camelback Road, Indian School Road, and on Scottsdale Road north from Camelback Road and south from Osborn Road to the D district boundary, shall be set back forty (40) feet from the planned curblane. Buildings fronting on the couplet road and located in a type 2 area shall be set back thirty (30) feet from the planned curb line.**

REQUEST A MODIFICATION TO REDUCE THE BUILDING SETBACK TO 20 FT FROM THE CURB LINE OF GOLDWATER BLVD. AT THE DECELERATION LANE ENTRY TO THE PROJECT AND INCREASE IT TO 35 FT IN OTHER AREAS.

At the southwest corner of the project an entry drive from Goldwater is proposed. This location is close to the location identified in the Zoning Case 76-ZN-85 #3. In that zoning case, they also requested and obtained a reduced setback of 18 ft. This request is to increase the setback to 20 ft.

This request also increases the building setback from 30 ft to 35 ft minimum in other areas along the Goldwater Blvd frontage. The original intent of the 30 ft building setback was to create buildings that fostered a pedestrian friendly urban environment. However, this part of the Goldwater Blvd. has no pedestrian access because of the bridge and topography. As a result, the first floor of the proposed project that fronts Goldwater Blvd. is below the street level, which is not a scenario anticipated by the standard.

- See Exhibit A, Setback Exhibit

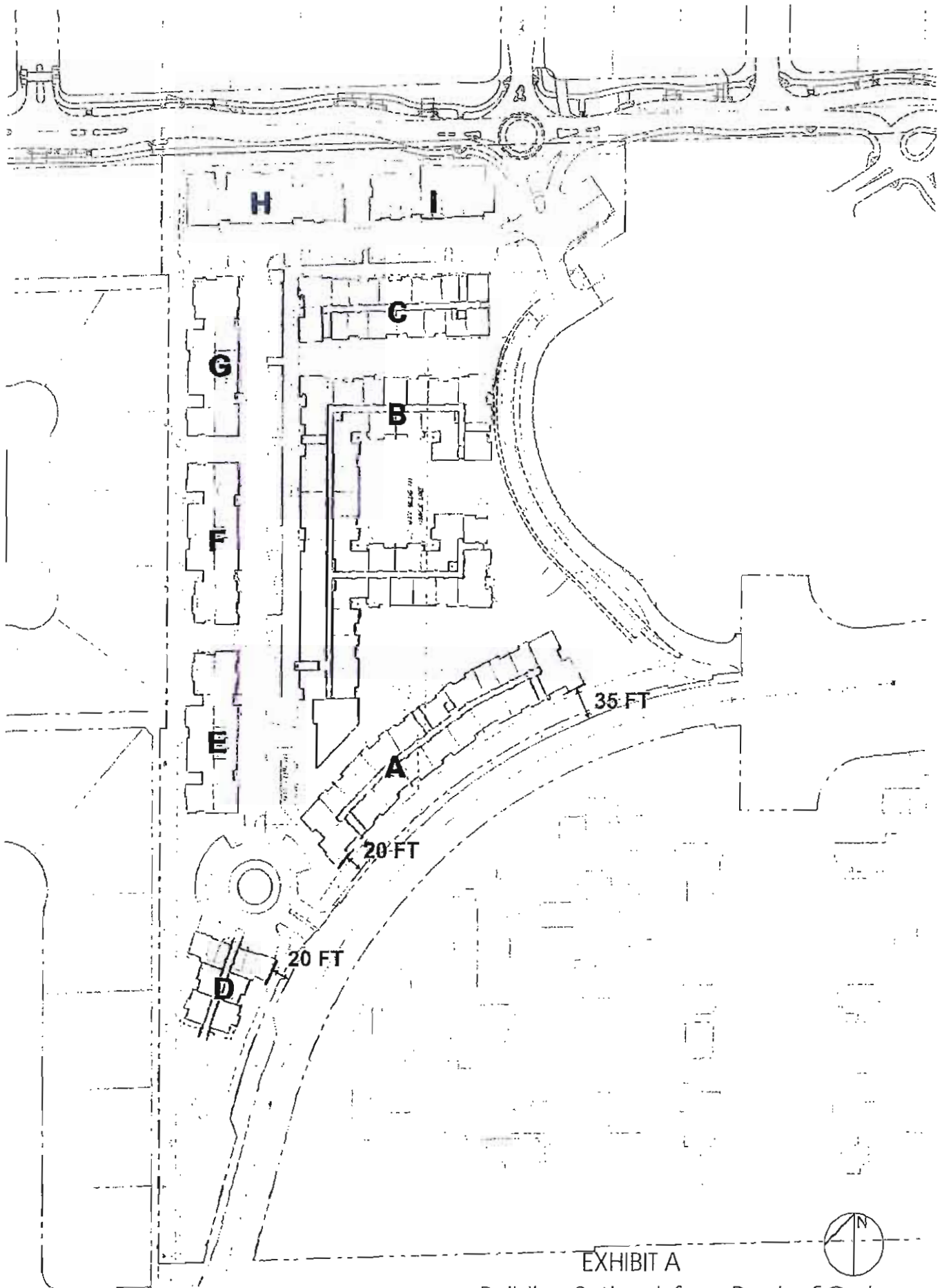


EXHIBIT A

Building Setback from Back of Curb

Scottsdale Portales Residential

Amended Development Standards Exhibits

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Exhibit 10
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Request 2:

Section 5.3060, Schedule B, III. 3. Building Size Maximum (type 2) .

350 feet any side, 550 feet two adj. sides. Above 38-foot elevation, 200 feet maximum

Section 5.3061 D. Maximum building length shall not exceed:

1. Three hundred fifty (350) feet in any horizontal dimension.
2. Five hundred fifty (550) feet total for any two (2) adjacent building enclosure dimensions (e.g. front and side).

REQUEST A MODIFICATION TO THE MAXIMUM BUILDING LENGTH FROM 350 FT TO 440 FT FOR ANY HORIZONTAL DIMENSION AND FROM 550 FT TO 668 FT FOR TWO (2) ADJACENT SIDES

1. The applicant proposes an extension of the maximum horizontal dimension from 350 ft to 440 ft on the west elevation of Building B. The first floor of Building B is approximately 440 ft long including an 80 ft long one story amenity area. For the floors above the first floor, near the center of the west elevation, there is an 80 ft break (the 4 story steps down to 2 stories) creating a large break in the building's facade helps to give the impression that it is multiple buildings. Furthermore, the west elevation of Building B is an interior elevation not visible from public streets or the adjacent residential community. It should also be noted that the proposed first floor is below the existing Goldwater and Chaparral Street levels.

As references, the nearby Finova building is more than 520 ft long (but 65 ft tall) and the Portales office building is approximately 300 ft long and 65 ft tall. See Exhibit B, Maximum Building Length.

2. The standard also requires that the combined horizontal dimension of two adjacent building sides does not exceed 550 ft. Building B's combined adjacent sides are approximately 668 ft long. Although one building, Building B is broken up in plan and mass with the goal that it will be perceived as several smaller scale buildings. The combined horizontal dimension of the two adjacent sides only occurs on the first and second floors which are not visible from the surrounding public streets. Additionally the first floor is below the existing Goldwater and Chaparral Street levels further reducing the impact.

See Exhibit C, Maximum Building Length 2 Sides

The standard was created to break up building masses into (relatively) smaller scaled buildings. The applicant proposes to create an urban resort/residential environment by constructing multiple residential buildings that surround a pool courtyard and are joined together at the lowest 1st and 2nd floors along the western side. The most southern portion will be one story and will house amenities for the residences. The middle portion will be two stories and will allow an east-west view corridor thru the building. Note that Building B is an interior building surrounded by 2 story townhouses to the west and other 4 story buildings to the north and south. The west side of Building B is not visible from surrounding public ways.

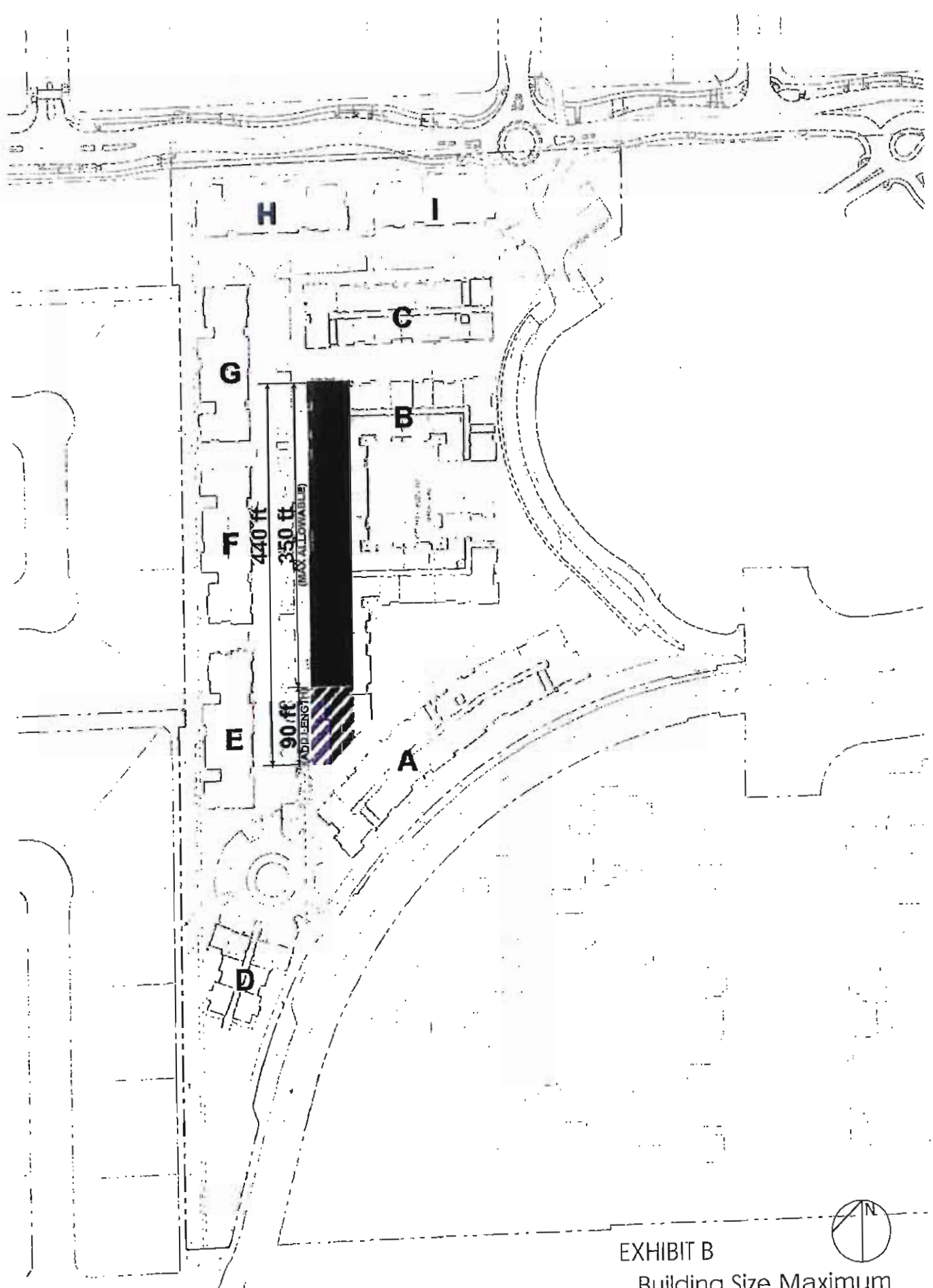


EXHIBIT B

Building Size Maximum

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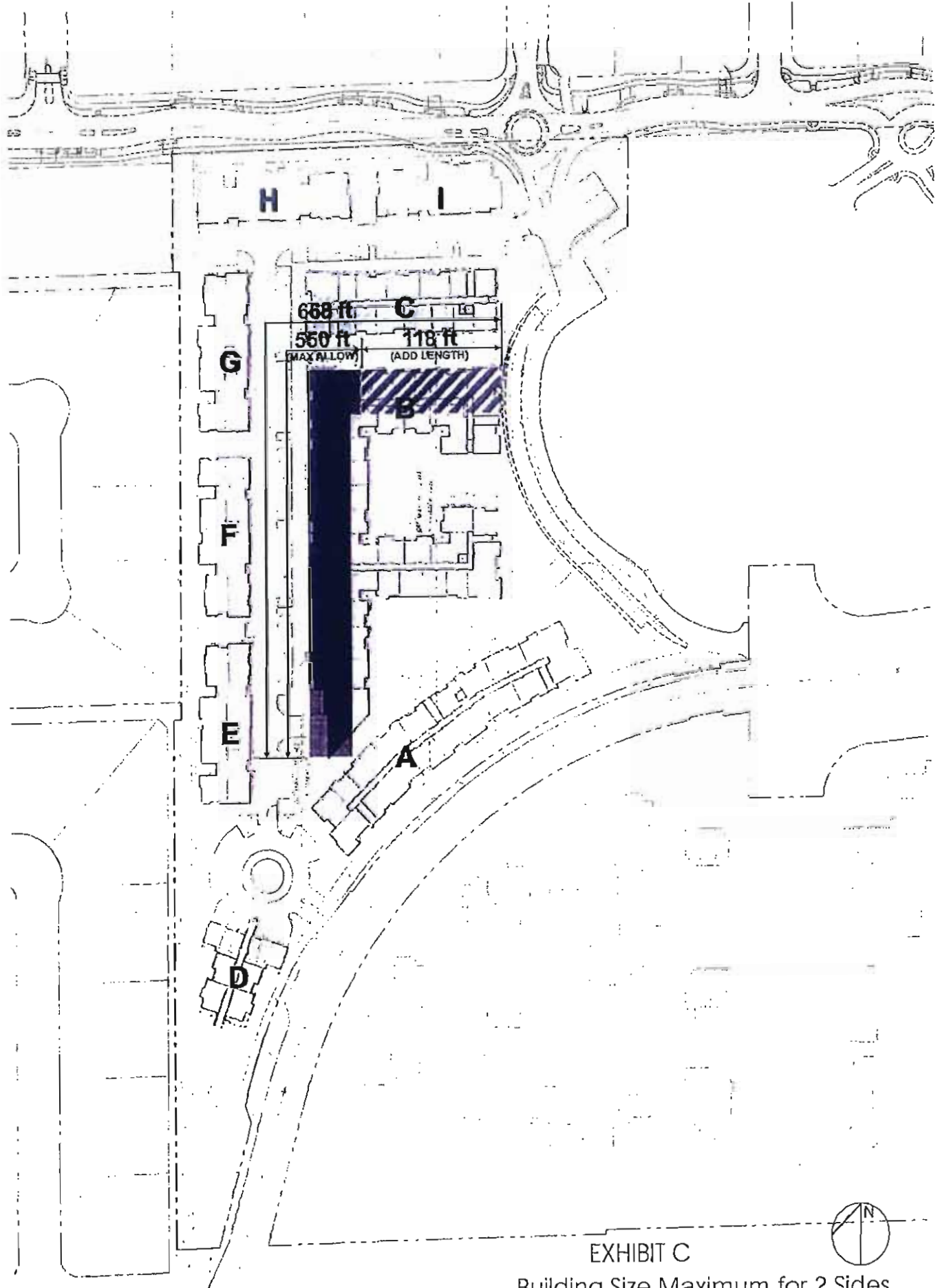


EXHIBIT C

Building Size Maximum for 2 Sides

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Request 3:

Section 5.3060, Schedule B, III. 4. Spacing Between Buildings Minimum (Type 2). 10% of two longest sides

Section 5.3061 E. Spacing between two (2) buildings on the same site shall be not less than ten (10) percent of the larger building's two (2) longest adjacent sides at the space (e.g. front and side).

REQUEST A MODIFICATION TO INCREASE THE SPACE BETWEEN BUILDINGS ON THE SAME SITE FROM THE APPROVED 8 FT TO A MINIMUM OF 24 FT

The standard requires spacing between buildings be a minimum of 10% of two longest adjacent sides. This standard was modified in Zoning Case 76-ZN-85 #3 to a minimum of 8 ft.

The standard was created to allow for appropriate spacing for large buildings masses. The two longest adjacent sides occur in Building B with a total length of 668 ft. Ten percent would be 66.8 ft. This is a request to modify building spacing between Buildings B and C from 66.8 ft to 38 ft and spacing from Building A to Building B from 66.8 ft to a minimum of 24 ft. In a Downtown urban setting, it is important to enhance pedestrian connectivity and maintain openings between large buildings for sight lines. In this case, the building layout has created three view corridors that run the entire length of the building (east-west) and creates nearly 4 acres of open space where none is required. The intended standards are met with a building that creates multiple corridors and site lines in a unique urban environment.

See Exhibit D, Minimum Building Separation

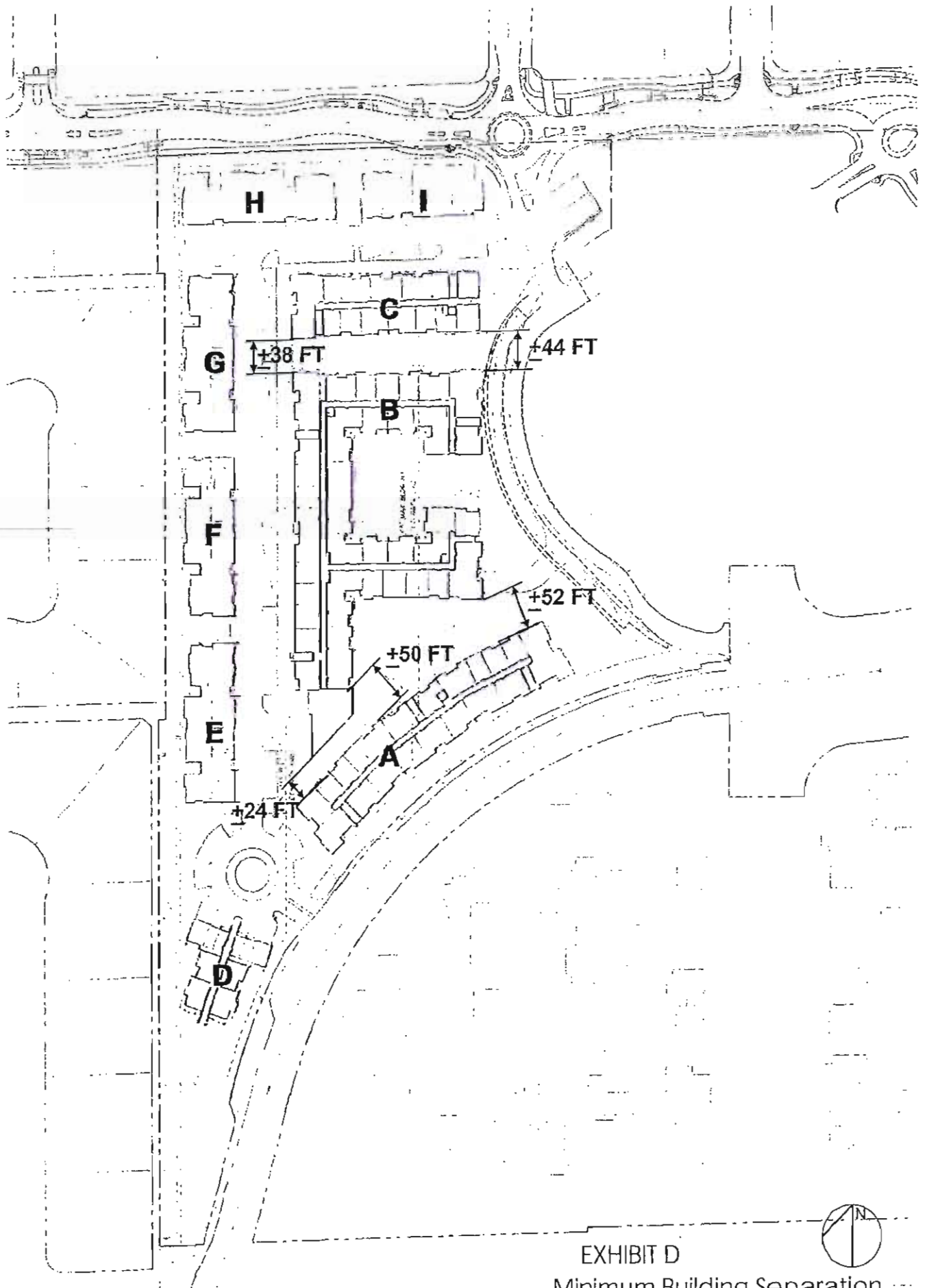


EXHIBIT D

Minimum Building Separation

Amended Development Standards Exhibits

Scottsdale Portales Residential

JLB Partners

Exhibit 10
Resolution No. 9040
Page 7 of 18

December 15, 2011 Rev January 25, 2012

Request 4:

Section 5.3060, Schedule B, III. 5a. Large Walls – Vertical Dimension Maximum (type 2). 38 feet without additional setback

Section 5.3061 F. Large Wall surfaces shall be controlled in the vertical dimension and horizontal dimension by the following:

2. Vertical dimension: A tall wall shall be set back an additional two (2) feet for every foot it measures in excess of thirty-eight (38) feet in vertical dimension. Such a wall shall constitute less than fifty (50) percent of the building's length as projected to any street or alley frontage. (Parallel vertical wall planes offset less than ten (10) feet shall be considered to be in the same plane).

REQUEST A MODIFICATION TO INCREASE THE WALL HEIGHT AT THE BUILDING SETBACK LINE FROM 38 FT TO 50 FT.

This standard's intent is to create a break up of building masses by allowing a step back of building height. The standard requires additional setback for walls over 38 ft in height and that they not to exceed 50% of building length. Portions of these modifications have been previously approved in 76-ZN-85#3, which allowed an unbroken vertical wall plane to be approximately 20 ft higher than 38 ft without a setback or break in plane for a total of 58 ft in height. The applicant requests the similar, previously approved standard, would allow for a 35 ft building setback (except adjacent to the deceleration lane) with a building that is 38 ft and rises to 50 ft for less than 50% of the building length for Building A. Additionally, the new proposed Downtown ordinance addresses this standard and will allow a 45' height unbroken vertical plane.

Building A has two heights. On the western half, the building is four stories above ground, but due to the topography, the building measures 38 ft from the street. The visual effect is limited to 50% of the building from the street. On the eastern half, Building A has a mezzanine level creating five levels. The proposed height is 50 ft, which is 15 ft less than the 65 ft currently allowed in the PBD. Under the new draft Downtown ordinance, the inclined stepback plane starts at 45 ft and would only be applied to the top 5 ft. Since there is no pedestrian experience along Goldwater Blvd., the lack of an inclined setback plane would have less impact.

Additionally, the transition of height and scale of the neighboring office building from 65 ft (existing Portales Office) to 50 ft to 38 ft (heights for proposed Portales Residential) to 26 ft to a single family neighborhood is an important design consideration. This transition in heights will create an appropriate visual transition that naturally brings down the scale from urban to suburban, as this project sits on the divide of a mature suburban neighborhood to the high density Downtown District.

- See Exhibit E, Vertical Dimension Exhibit

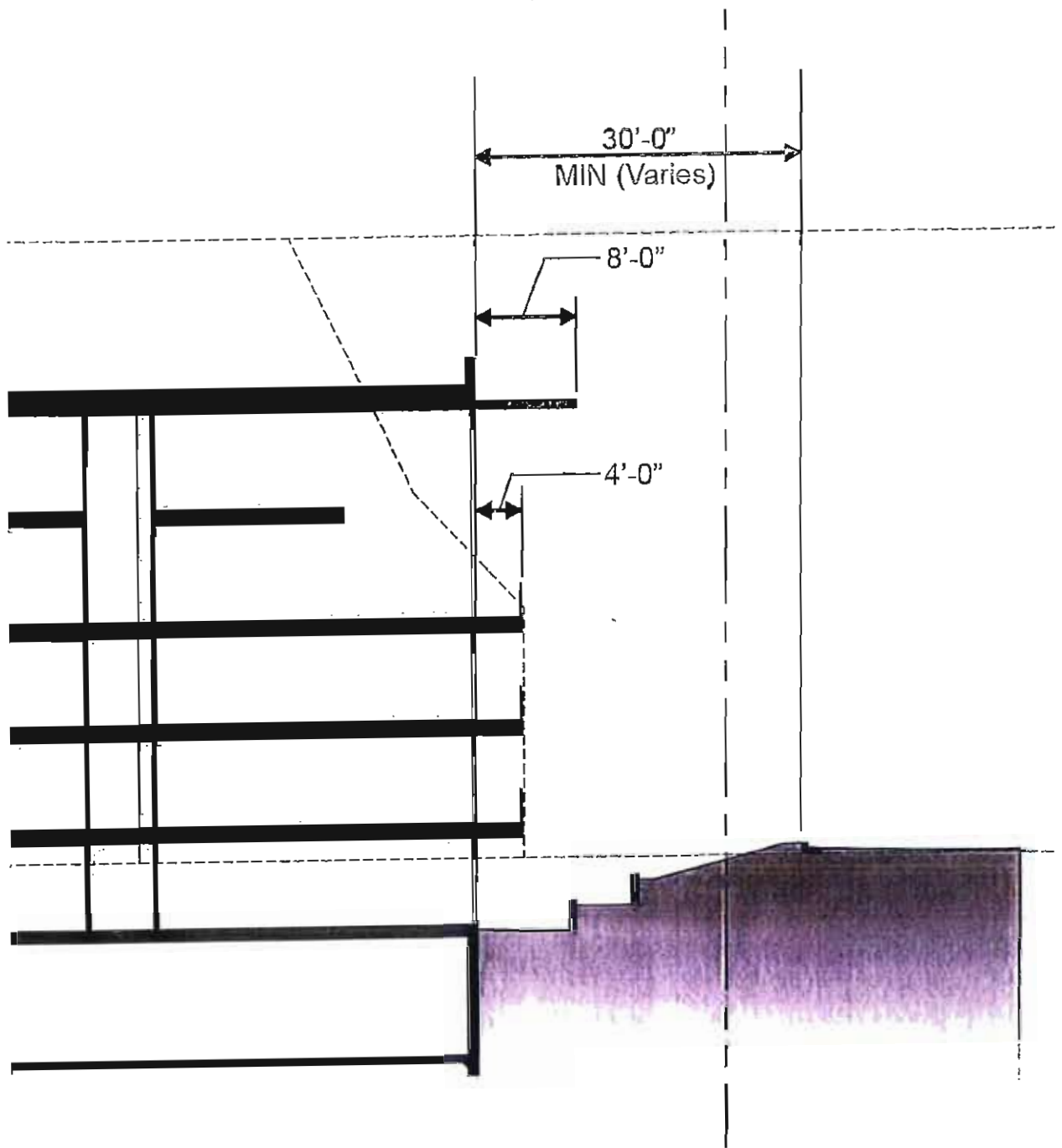


EXHIBIT E

Vertical Dimension Exhibit

Scottsdale Portales Residential
JLB Partners

Exhibit 10
Resolution No. 9040
Page 9 of 18

Amended Development Standards Exhibits

December 15, 2011 Rev January 25, 2012

Request 5:

Section 5.3060, Schedule B, III. 5b. Large Walls – Horizontal Dimension Maximum (type 2). Section 5.3061 F. Large wall surfaces shall be controlled in vertical dimension and horizontal dimension by the following:

1. **Horizontal dimension:** No wall surface shall be more than two hundred (200) feet long without a "break" (a break shall be an interruption of the building wall plane with either a recess or an offset measuring at least twenty (20) feet in depth, and one-quarter of the building in length. The offset angle constituting the "break" recess shall be between ninety (90) degrees and forty-five (45) degrees to the wall).

REQUEST A MODIFICATION TO ALLOW APPROXIMATELY 228 FT LENGTH FOR BUILDINGS B, 232 FT LENGTH FOR BUILDING C AND AN INTERPRETATION THAT THE CURVED FAÇADE OF BUILDING A MEETS THE 20 FT OFFSET REQUIREMENT

The ordinance standard requires a horizontal dimension maximum of 200 ft without break. This length was modified as part of the Zoning Case 76-ZN-85#3 to 222 ft. This request is to increase the allowable length by 6 ft to 228 ft.

The intent of the section is to create a visual break up of long building masses. There are three locations on the project where this standard is exceeded. The first, is Building A where the structure complies with the need for long horizontal buildings to have a break so as to not create flat, uninteresting planes. Building A complies with the Section by having the offset of more than 20 ft occur as the building arcs from one corner of the building to the next. The request for this building is to interpret the curved building as satisfying the required "break" in horizontal dimension. This building carries the sweeping curvature of Goldwater Boulevard and will become one of the unique building types in the City. Far from flat and uninteresting, the combination of rhythm, balconies, changes in height and the curving face of the building will be a pleasant surprise for residents and drivers alike. This same interpretation was made with the proposed Valley Ho expansion.

Second, Building B is 440' long (north-south dimension), but does have an 80' break at 2 stories high and also an 80' break where the one story high amenity area is located. These building are highly articulated with sun awnings, balconies and variation in unit size that create undulations on the building elevation. All of these elements give rise to a visual appearance that the buildings provide a break. Additionally, these buildings are within an interior drive and limited from public view by two story carriage units that screen the view from neighboring parcels. Also, Building B has a portion of the building, facing north within a courtyard, that is requested to 228' in length.

Interior Buildings B and C both have facades that are more than 200 ft long. These building are highly articulated with sun awnings, balconies and variation in unit size that create undulations on the building elevation meeting the intent of the ordinance to reduce the sense of scale of the buildings and visually give the appearance of a break. Additionally, these buildings are within an interior drive and limited from public view by two story carriage units that screen the view from neighboring parcels

See Exhibit F, Maximum Horizontal Wall Length exhibit

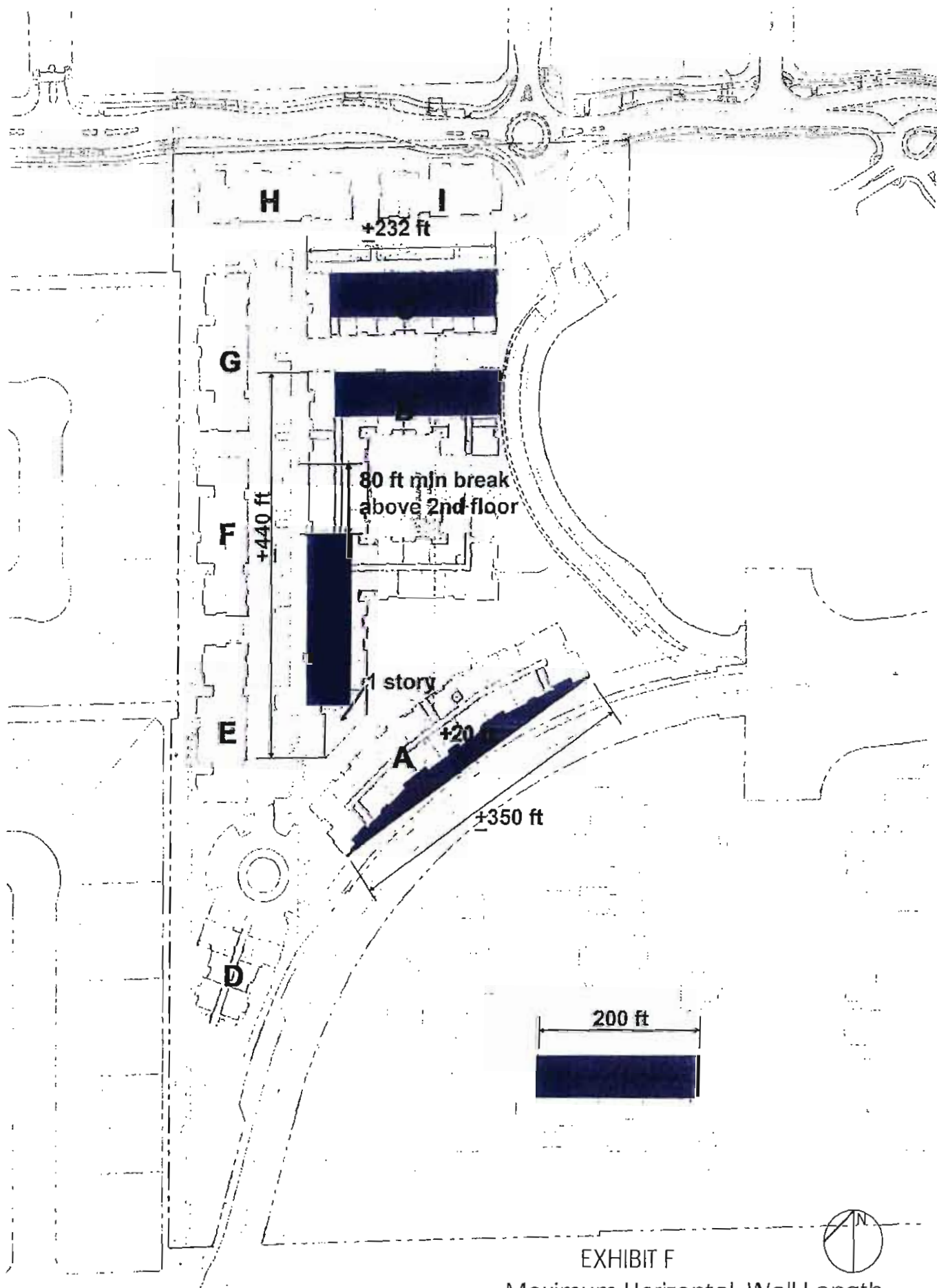


EXHIBIT F

Maximum Horizontal Wall Length

Scottsdale Portales Residential

Amended Development Standards Exhibits

JLB Partners

Exhibit 10
Resolution No. 9040
Page 11 of 18

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Request 6:

Section 5.3060, Schedule B, III. 6 Building Envelope, starting at a point 26 feet above the building setback line, the inclined stepbacks plane slopes at: 1:1 up to a height of 38 feet, 2:1 thereafter on all sides of a property and

7. Building Encroachments Beyond Inclined Stepback Plane A max. vertical encroachment of 15 ft. is permitted on a maximum of 25% of the length of an elevation

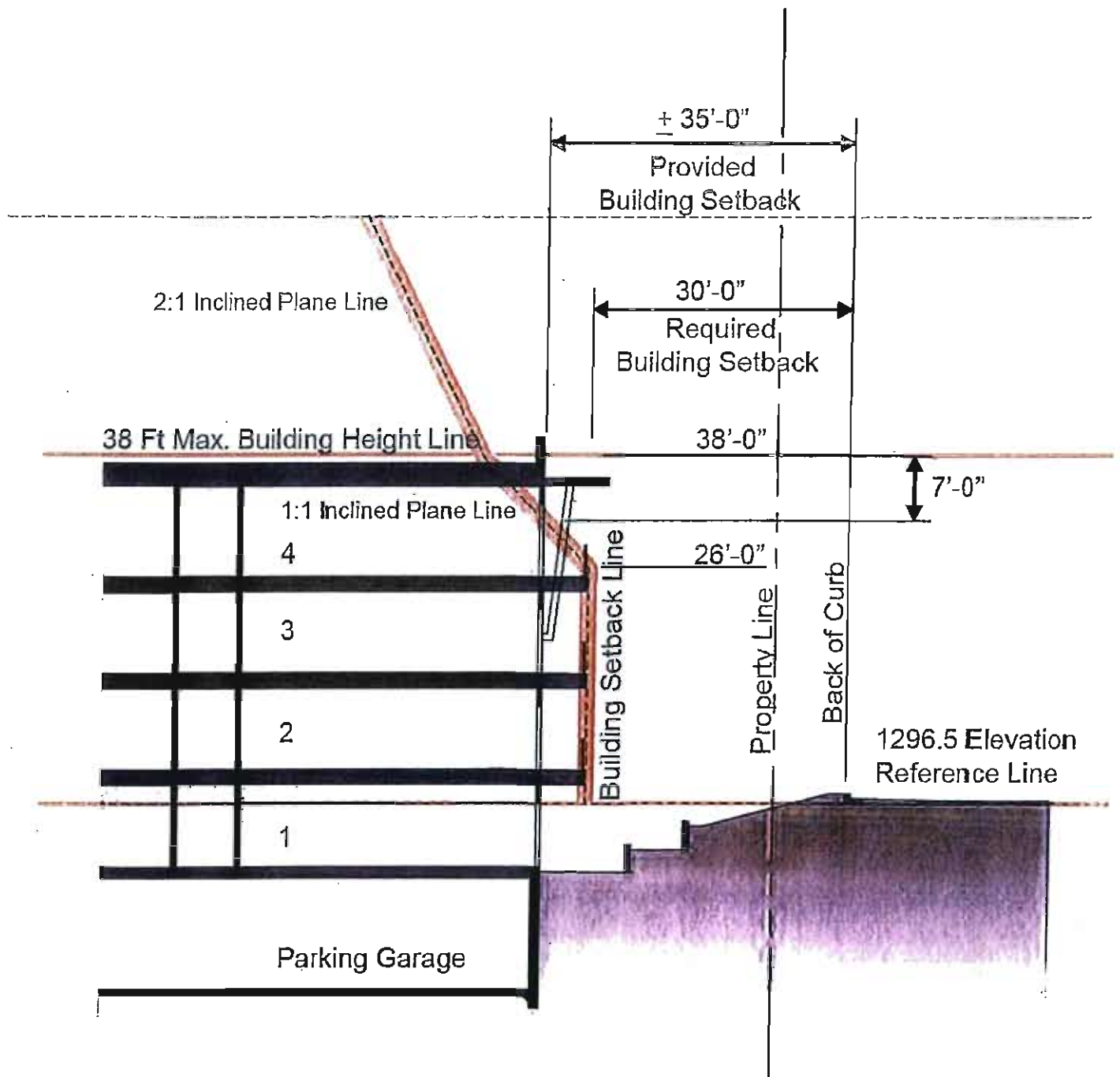
Sec. 5.3063. - Exceptions to height limits.

- A. A maximum vertical building encroachment of fifteen (15) feet is permitted into the inclined stepback plane for not more than twenty-five (25) percent of the length of the building's elevation, but not above the maximum allowable bonus building height.
- B. The ridge of sloping roof or a parapet wall, in addition to A above, may encroach vertically into the inclined stepback plane and into the maximum allowable height no more than four (4) feet in type 2 and type 1.5 areas only.

REQUEST A MODIFICATION TO ALLOW ENCROACHMENT INTO THE STEPBACK PLANE FOR BUILDING A FOR THE ENTIRE LENGTH OF THE BUILDING AND FOR AN ENCROACHMENT OF UP TO 18 FT FOR A PORTION OF THE BUILDING.

This standard requires that a tall wall be set back at a 1:1 ratio starting at 26 ft up to 38 ft and then a 2:1 ratio for heights above 38 ft in vertical dimension. The intent of the standard is to break up building massing to create a visual appearance that buildings have a smaller scale for the pedestrian experience, while allowing encroachment within the setback plane to allow for design flexibility. The west half of building A has four stories above ground, and due to existing topography of the site, the height will be 38 ft from the street. The east half of Building A is also 4 stories, but with a mezzanine level, which creates a fifth level. The measured height is 50 ft from the street. Per the new draft Downtown ordinance, only the east half of the building would rise above the height of the inclined setback plane where the mezzanine occurs. The proposed building height of 50 ft is 15 ft less than the 65 feet currently allowed in the PBD. In this case, there is no pedestrian experience along Goldwater Boulevard due to topography and bridge, therefore creating less of the inclined setback plane will not have an impact on the pedestrian experience.

- See Exhibit G, Building Setback and Inclined Plan Exhibit - Building A 4-story
- See Exhibit H, Building Setback and Inclined Plan Exhibit - Building A 5-story



Building A at 4 Story Portion

EXHIBIT G

Building Setback and Inclined Plane

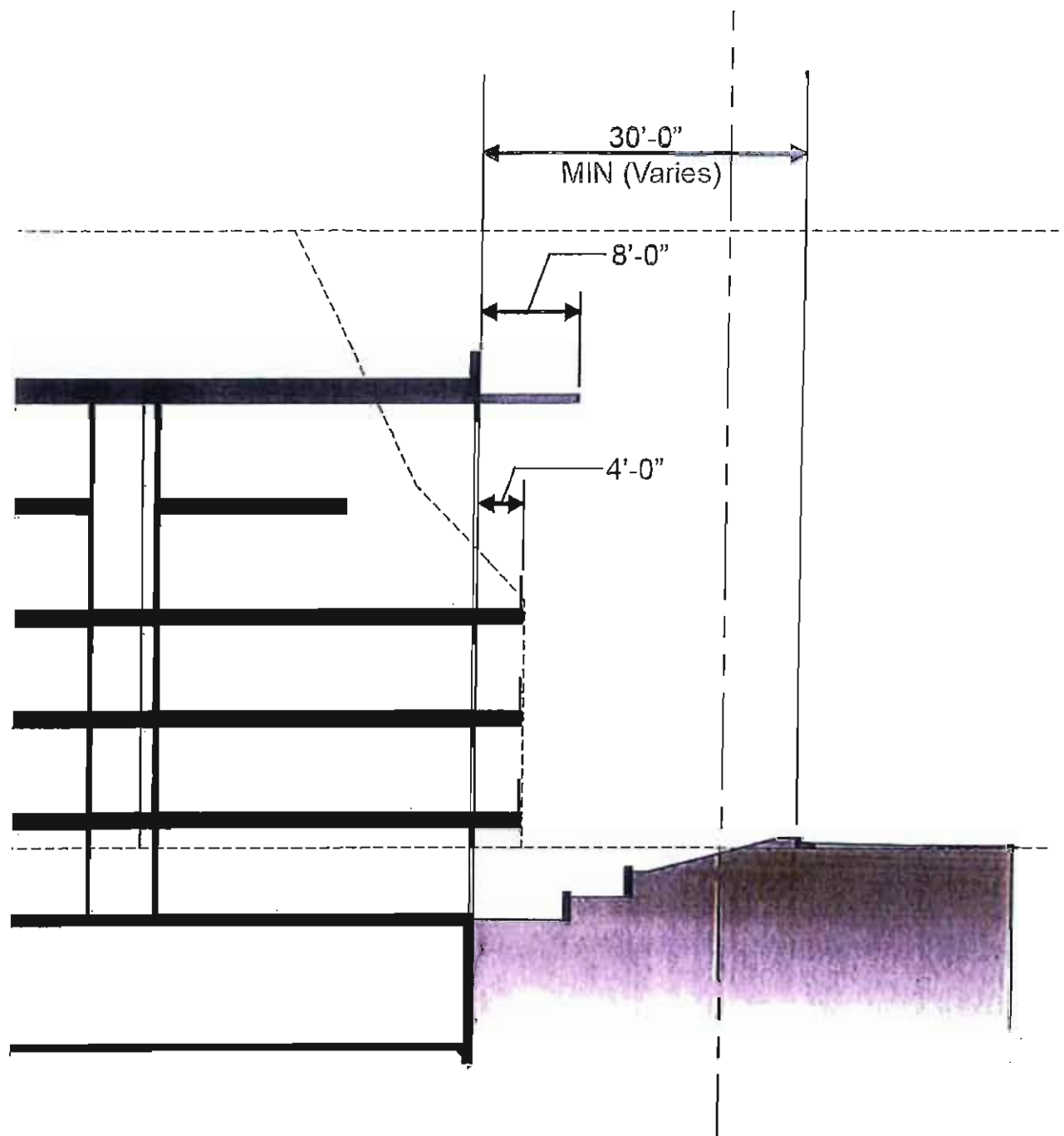
Scottsdale Portales Residential

Amended Development Standards Exhibits

JLB Partners

Exhibit 10
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Building A at 5 Story Portion

EXHIBIT H

Building Setback and Inclined Plane

Scottsdale Portales Residential
JLB Partners

Amended Development Standards Exhibits

Exhibit 10
Resolution No. 9040
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December 15, 2011 Rev January 25, 2012

Request 7:

Section 5.3060, Schedule B, III. 8 Building Lines (type2). Minimum 25% of area of front bldg. face below 26 ft. shall be at front building setback. At first level, min. 25% of width of projected street elevation must be at least 10 ft. behind front building setback

REQUEST A MODIFICATION TO ALLOW THE BUILDING FACE TO BE AT THE SETBACK LINE WITHOUT ADDITIONAL SETBACK.

The intent of this standard was to promote a pedestrian scaled building environment. As previously noted, this portion of the Goldwater Blvd. is a relatively high speed couplet and is more oriented than most of the downtown area to the automobile. Due to the topography and bridge, pedestrian activity and experience is not possible along Goldwater Blvd. east of the main entrance, as there is no sidewalk along this part of the Boulevard. The requested minimum setback from Goldwater Boulevard is 20 ft for Building D at the proposed acceleration lane and 20 ft from Goldwater Boulevard for small portion Building A to the proposed deceleration lane. The building D frontage will include an 8-foot sidewalk, as well as a transit stop west of the main entrance. Additionally, a proposed 35 ft setback from Goldwater Boulevard for Building A is requested, as the main residential structure is being built in an existing excavated hole and ground floor units are below street elevation. As these units are below street level, an additional setback is needed to allow for proper private open space patios from Goldwater Boulevard. As discussed previously, this residential building is narrow in width and best designed as a non-stepping structure. This modification to the development standards was previously approved on this site for case 76-ZN-85#3.

Request 8:

Section 5.3060, Schedule B, III. 9 Private Outdoor Living Space (type 2). Ground-floor dwelling unit; min. dimension 10 ft.

Upper floor unit; min. dimensions 6 ft. with min. area of 60 ft.

REQUEST A MODIFICATION TO REDUCE THE REQUIRED OUTDOOR AREA TO AN AVERAGE AREA PER UNIT OF 50 SQ. FT.

This standard requires that ground floor dwelling units have a minimum dimension of 10 ft and that upper floor units have a minimum dimension of 6 ft with a minimum area of 60 square feet. The proposed project provides a significant amount of common open space, where none is required in the Downtown District. The project has been built around unique, open courtyards that create view corridors that allow visual relief to neighbors, office tenants and residents alike. There are numerous amenity areas for recreation or relaxation all on top of a podium garage, which is unique for such a high density structure. With a large number of floor plans of various size and balcony depths, the applicant wishes to amend this standard that would allow 100% of all units to provide an outdoor balcony or patio. The overall community will have an average balcony area of 50 square feet. This amended standard will allow the design flexibility necessary to insure a variety of open spaces that will appeal to a wide range of potential residents. By allowing a wide range in types of open spaces, this amended standard will provide a superior benefit to residents that exceed the original standard.

Request 9:

Section 5.3066. Building Projections.

Maximum projections permitted into a required setback area but not beyond property line shall be as follows:

- A. Fireplaces or chimneys: Two (2) feet.
- B. Uncovered porches, terraces, platforms, underground garages, and patios not more than three (3) feet above grade: May extend into a front setback yard not closer than five (5) feet to the property line.
- C. Cornices, eaves, and ornamental features: Two (2) feet.
- D. Balconies, stairs, canopies, awnings, and covered porches: Four (4) feet beyond a front or rear setback and two (2) feet beyond a side setback, not exceeding twenty-five (25) percent of the length of the adjoining property line.
- E. Bay windows: Two and one-half (2½) feet if not on ground

REQUEST A MODIFICATION TO INCREASE THE ALLOWABLE PROJECTIONS FROM 2 FT OR 4 FT TO 8 FT.

The standard determines the maximum encroachment of projections into required setbacks but not beyond property lines. Applicant requests to modify the distance of projections for balconies, stairs, canopies, awnings and covered porches from 4 ft to 8 ft beyond a front or rear setback and from 2 ft to 8 ft beyond a side setback. Roof canopies and balconies are an integral part of the building design. The request would allow for increased flexibility to create a unique visual interest, while creating shade opportunities on the southern and eastern edge of the property with canopies, awnings, balconies and covered porches. Because there is no pedestrian experience along Goldwater, the impact is less than normal circumstances. The extended projections would occur on Building A, adjacent to Goldwater Boulevard, and on the east side of the property where Building B touches the curving property line along the interior private drive, Portales Place Road.

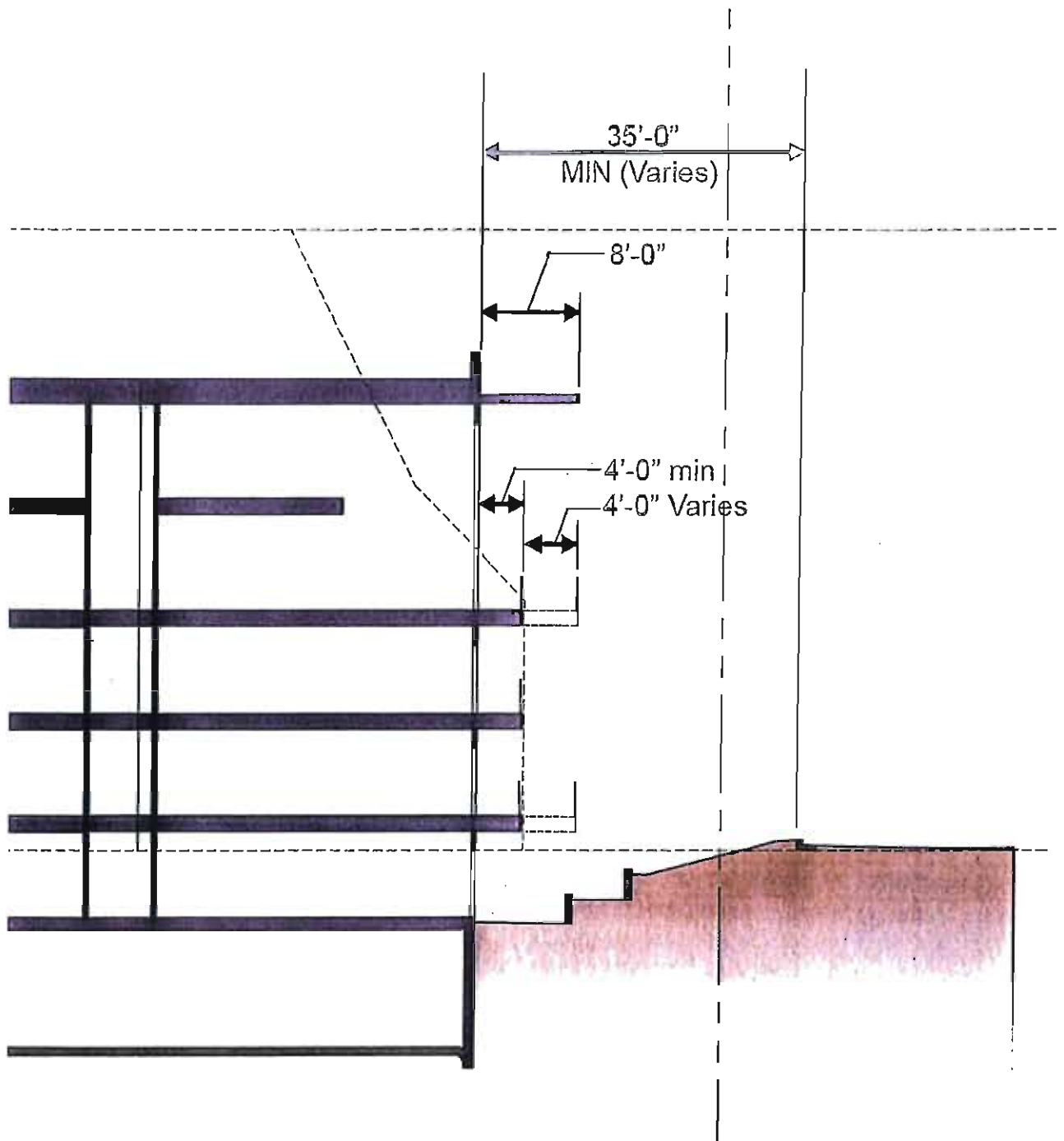


EXHIBIT I

Setback Encroachment

Scottsdale Portales Residential

Amended Development Standards Exhibits

JLB Partners

Exhibit 10
Resolution No. 9040
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December 15, 2011 Rev January 31, 2012

Portales Residential – Amended Development Standards

Case: 76-ZN-1985 #6

Existing Zoning: D/RCO – 2 PBD DO

Section 5.3060. Site development standards.

Schedule B

		Type 1 Area (Compact Development)	Type 1.5 Area (Low-Scale Development)	Type 2 Area (Intermediate Development)	Additional Regulations
I. Development Requirements					
1.	Basic Floor Area Ratio (FAR)	0.8	0.8	0.8	Section 5.3090
	a. Underground parking FAR bonus maximum	0.3	0.3	0.3	Section 5.3090 C1, 9.108.C.3.
	b. Historic site FAR bonus maximum	0.2	0.2	0.2	Section 5.3090 C2.
	c. Special improvements FAR bonus maximum	0.3	0.3	0.3	Section 5.3090 C4.
	d. Planned block development FAR bonus max.	0.1	0.1	0.1	Sections 5.3061 A, 5.3082
2.	Total maximum FAR (excluding residential bonus and right-of-way credit)	1.5	1.4	1.4	Sections 5.3061 B, 5.3065
	a. Residential/hotel FAR bonus maximum	0.5	0.4	0.4	Section 5.3090 C3.
3.	Total maximum FAR (including residential but excluding right-of-way credit)	2.0	1.8	1.8	Section 5.3061 L
II. Site Requirements					
1.	Minimum Site Area	None required	None required	None Required	
2.	Minimum Front Building Setback	12 feet from planned curb	20 feet from planned curb except designated street frontages	20 feet from planned curb except designated street frontages 20 FEET FOR GOLDWATER BOULEVARD	Sections 5.3066, 5.3061 G, 5.3061 H, 5.3081 C

Portales Residential
Amended Development Standards

3.	Minimum Interior Side Building Setback	None	None	None	Sections <u>5.3066</u> <u>5.3061 I</u>
4.	Minimum Corner Side Building Setback	12 feet from planned curb	20 feet from planned curb	20 feet from planned curb	Section <u>5.3066</u>
5.	Minimum Rear Building Setback	No minimum except as required for off-street loading and trash storage	No minimum except as required for off-street loading and trash storage	No minimum except as required for off-street loading and trash storage	Sections <u>5.3066</u> <u>5.3061 I</u>
6.	Landscaping	No minimum	No minimum	No minimum	Section <u>5.3062</u>
7.	Parking	Pursuant to article IX	Pursuant to article IX	Pursuant to article IX	Pursuant to article IX
8.	Signs				Section <u>5.3061 K</u>
		Type 1 Area (Compact Development)	Type 1.5 Area (Low-Scale Development)	Type 2 Area (Intermediate Development)	Additional Regulations
III. Building Design Requirements					
1.	Basic Height Maximum (all uses)	26 feet (not more than 2 levels)	26 feet	38 feet (not more than 3 levels)	Section <u>5.3061 C</u>
2.	Bonus Height Maximums				Section <u>5.3090</u>
	a. Planned block development (all uses)				Section <u>5.3082</u>
	100,000 sq. ft. minimum parcel	None	None	50 feet (not more than 4 levels)	
	200,000 sq. ft. minimum parcel	None	30 feet (not more than 4 levels)	65 feet (not more than 5 levels)	
	b. Residential use	36 feet (not more than 3 levels)	38 feet not more than 3 levels)	50 feet (not more than 5 levels)	Section <u>5.3061 M</u>
	c. Hotel use	36 feet (not more than 3 levels)	38 feet (not more than 3 levels)	72 feet (not more than 8 levels)	
3.	Building Size Maximum	None	350 feet any side, 550 feet two adj. sides. Above 38-foot elevation, 200 feet maximum	350 440 feet any side, 550 668 feet two adj. sides. Above 38-foot elevation, 200 feet maximum	Section <u>5.3061 D</u>
4.	Spacing Between Buildings Minimum	None	10% of two longest sides	40% of two longest sides-24 FEET	Section <u>5.3061 E</u>

5.	Large Walls				
	a.	Vertical dimension maximum	26 feet	26 feet	38 50 feet without additional setback Section 5.3061 F
	b.	Horizontal dimension maximum	None	200 feet without "break"	200 232 feet without "break" BREAKS ABOVE THE TWO-STORY LEVEL AND CURVED BUILDINGS SHALL SATISFY THIS REQUIREMENT Section 5.3061 F
6.	Building Envelope, starting at a point 26 feet above the building setback line, the inclined stepbacks plane slopes at:	2:1 on the front, and 1:1 on the other sides of a property	1:1 up to a height of 38 feet, 2:1 thereafter on all sides of a property	1:1 up to a height of 38 feet, 2:1 thereafter on all sides of a property EXCEPT "BUILDING A" ADJACENT TO GOLDWATER BOULEVARD	Section 5.3061 J, 5.3061 N
7.	Encroachments Beyond Inclined Stepback Plane	Not permitted	A max. vertical encroachment of 15 ft. is permitted on a maximum of 25% of the length of an elevation	A max. vertical encroachment of 15 ft. is permitted on a maximum of 25% of the length of an elevation	Sections 5.3063 5.3066
8.	Building Lines	At the first level minimum 50% of front building face shall be at front building setback	Minimum 25% of area of front bldg. face below 26 ft. shall be at front building setback. At first level, min. 25% of width of projected street elevation must be at least 10 ft. behind front building setback	Minimum 25% of area of front bldg. face below 26 ft. shall be at front building setback. At first level, min. 25% of width of projected street elevation must be at least 40 5 FEET behind front building setback	
9.	Private Outdoor Living Space	Minimum area of 60 sq. ft. per dwelling unit required with minimum dimensions of 6 ft.	Minimum area of 60 sq. ft. per dwelling unit required with minimum dimensions of 6 ft.	Ground-floor dwelling unit; min. dimension 40 ft. Upper floor unit; min. dimensions 6 ft. with min. area of 60 ft. 100% OF ALL UNITS TO PROVIDE AN OUTDOOR BALCONY OR PATIO. THE OVERALL COMMUNITY WILL HAVE AN AVERAGE BALCONY AREA OF 50 SQ. FT.	

Section 5.3061. -Additional Regulations.

- A. Within a planned block development (PBD) transfer of floor area between abutting parcels in the same ownership shall be permitted. Transfer of floor area between parcels under different ownerships in the same planned block development shall be permitted, subject to special conditions of approval for the planned block development (section 5.3082).
- B. An additional square foot of allowable floor area will be permitted for each square foot of required right-of-way dedicated to the city before December 31, 1987.
- C. Maximum building height shall not exceed thirty-eight (38) feet in the following areas:
 - 1. Within three hundred (300) feet of an R-1 district.
 - 2. Within one hundred (100) feet of a type 1 area, except that planned block development projects may be approved with a bonused height maximum of up to fifty (50) feet.
- D. Maximum building length shall not exceed:
 - 1. ~~Three hundred fifty (350)~~ **FOUR HUNDRED FORTY (440)** feet in any horizontal dimension.
 - 2. ~~Five hundred fifty (550)~~ **SIX HUNDRED SIXTY EIGHT (668)** feet total for any two (2) adjacent building enclosure dimensions (e.g. front and side).
 - 3. Two hundred (200) feet for the upper portion of a building above the thirty-eight-foot elevation.
- E. Spacing between two (2) buildings on the same site shall be not less than ~~ten (10) percent of the larger building's two (2) longest adjacent sides at the space (e.g. front and side)~~ **24 FEET**.
- F. Large wall surfaces shall be controlled in vertical dimension and horizontal dimension by the following:
 - 1. *Horizontal dimension:* No wall surface shall be more than ~~two hundred (200)~~ **TWO HUNDRED THIRTY TWO (232)** feet long without a "break" (a break shall be an interruption of the building wall plane with either a recess or an offset measuring at least twenty (20) feet in depth, and one-quarter of the building in length. The offset angle constituting the "break" recess shall be between ninety (90) degrees and forty-five (45) degrees to the wall). **A BREAK OR INTERRUPTION ABOVE THE SECOND-STORY LEVEL SHALL SATISFY THIS REQUIREMENT. A CURVED BUILDING SHALL SATISFY**

**THE REQUIREMENT FOR A BREAK OR INTERRUPTION IN
THE BUILDING WALL PLANE.**

2. *Vertical dimension:* A tall wall shall be set back an additional two (2) feet for every foot it measures in excess of ~~thirty-eight (38)~~ **FIFTY (50)** feet in vertical dimension. Such a wall shall constitute less than fifty (50) percent of the building's length as projected to any street or alley frontage. (Parallel vertical wall planes offset less than ten (10) feet shall be considered to be in the same plane).
 3. Interior side walls farther than sixteen (16) feet from a side property line and within one hundred (100) feet of the front setback line shall not have a vertical dimension greater than thirty-eight (38) feet without an offset of at least ten (10) feet. Offset angles shall be between ninety (90) degrees and forty-five (45) degrees to the wall. Exempt from this requirement are multifamily dwellings, hotels, and buildings containing less than fifty thousand (50,000) square feet in gross floor area.
- G. Where existing setbacks on forty (40) percent or more of a blockface are less than the specified setback, the required setback on a site to be developed shall be the average setback of the developed portion of the blockface. Section 7.201 (adjustment of front yard requirements) shall not apply.
- H. Buildings fronting on Camelback Road, Indian School Road, and on Scottsdale Road north from Camelback Road and south from Osborn Road to the D district boundary, shall be set back forty (40) feet from the planned curbline. Buildings fronting on the couplet road and located in a type 2 area shall be set back ~~thirty (30)~~ **TWENTY (20)** feet from the planned curbline.
- I. No building wall shall be so placed as to create a yard measuring less than three (3) feet at a property line between two (2) private properties.
- J. Adjoining an R-1 district, the inclined stepback plane shall be 1:1 from a ten-foot high stepback line.
- K. RHD subdistrict signs shall comply with article VIII R-5 regulations. Signs in all other subdistricts shall conform with C-2 district regulations.
- L. For residential development and timeshare facilities (as defined in section 3.100), density shall not exceed fifty (50) dwelling units per gross acre.
- M. In order to qualify for the fifty-foot bonused height maximum a residential use shall be on a site larger than twenty thousand (20,000) square feet.

- N. The inclined stepback plane shall not apply to interior property lines within a planned block development.

Section 5.3066. Building Projections.

Maximum projections permitted into a required setback area but not beyond property line shall be as follows"

- A. Fireplace or chimneys: Two (2) feet.
- B. Uncoverd porches, terraces, platforms, underground garages, and patios not more than three (3) feet above grade: May extend into a front yard setback yard not closer than five (5) feet to the property line.
- C. Cornices, eaves, and ornamental features: Two (2) feet.
- D. Balconies, stairs, canopies, awnings and covered porches: ~~Four (4)~~ **EIGHT (8)** feet beyond a front or rear setback and ~~two (2)~~ **EIGHT (8)** feet beyond a side setback, not exceeding twenty-five (25) percent of the length of the adjoining property line.
- E. Bay windows: Two and one-half (2 1/2) feet if not on the ground.

Portales Residential

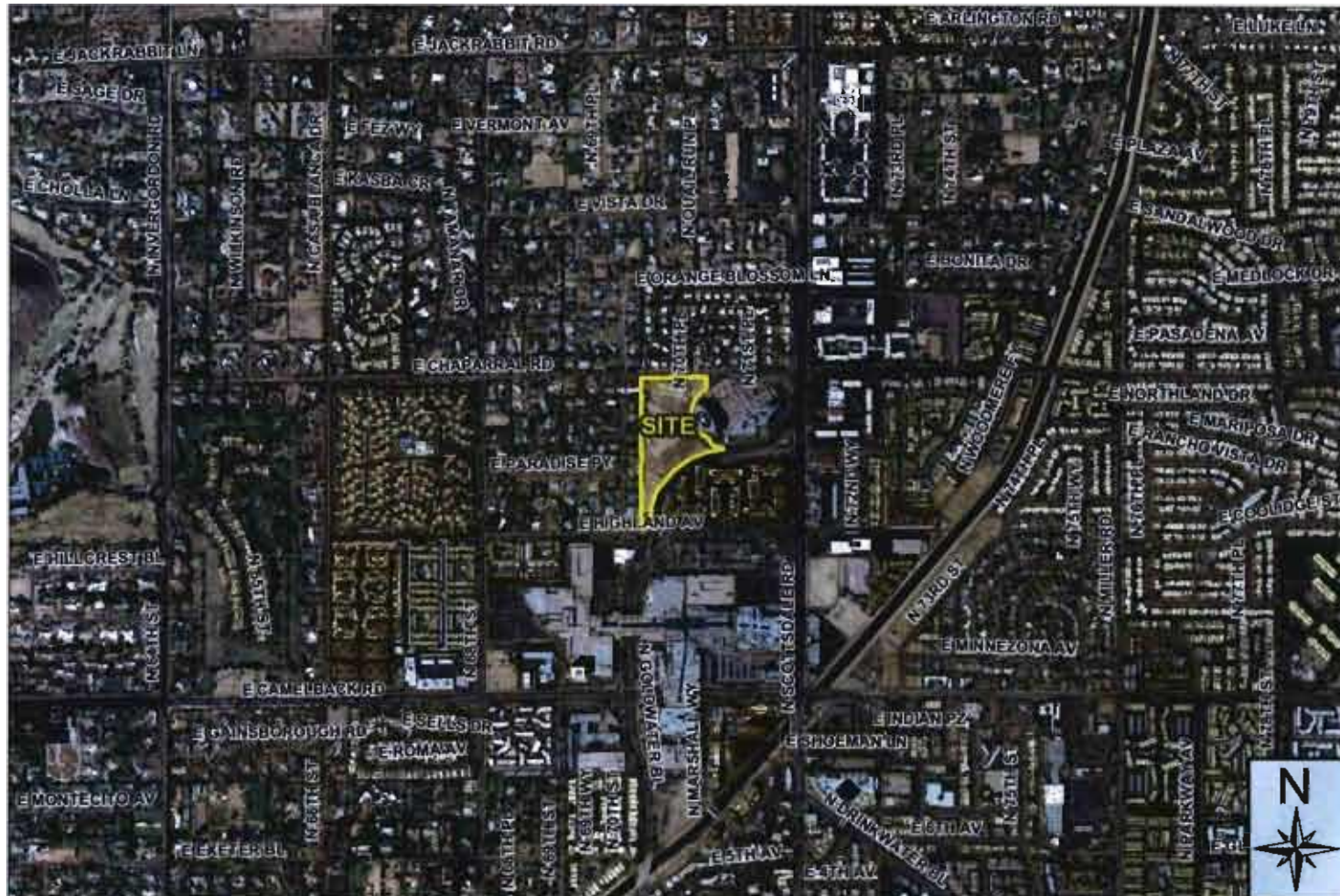
76-ZN-1985#6

Coordinator: Kim Chafin, AICP, LEED-AP

City Council

May 8, 2012

Portales Residential



CONTEXT AERIAL

76-ZN-1985#6

Portales Residential



CLOSE AERIAL

76-ZN-1985#6

Portales Residential

Entitlements Process:

✓ DRB: review & recommendation on ASDS

✓ Planning Commission: review & recommendation to City Council regarding:

- Consistent with PBD criteria
- Consistent with GP

Next Steps:

- DRB

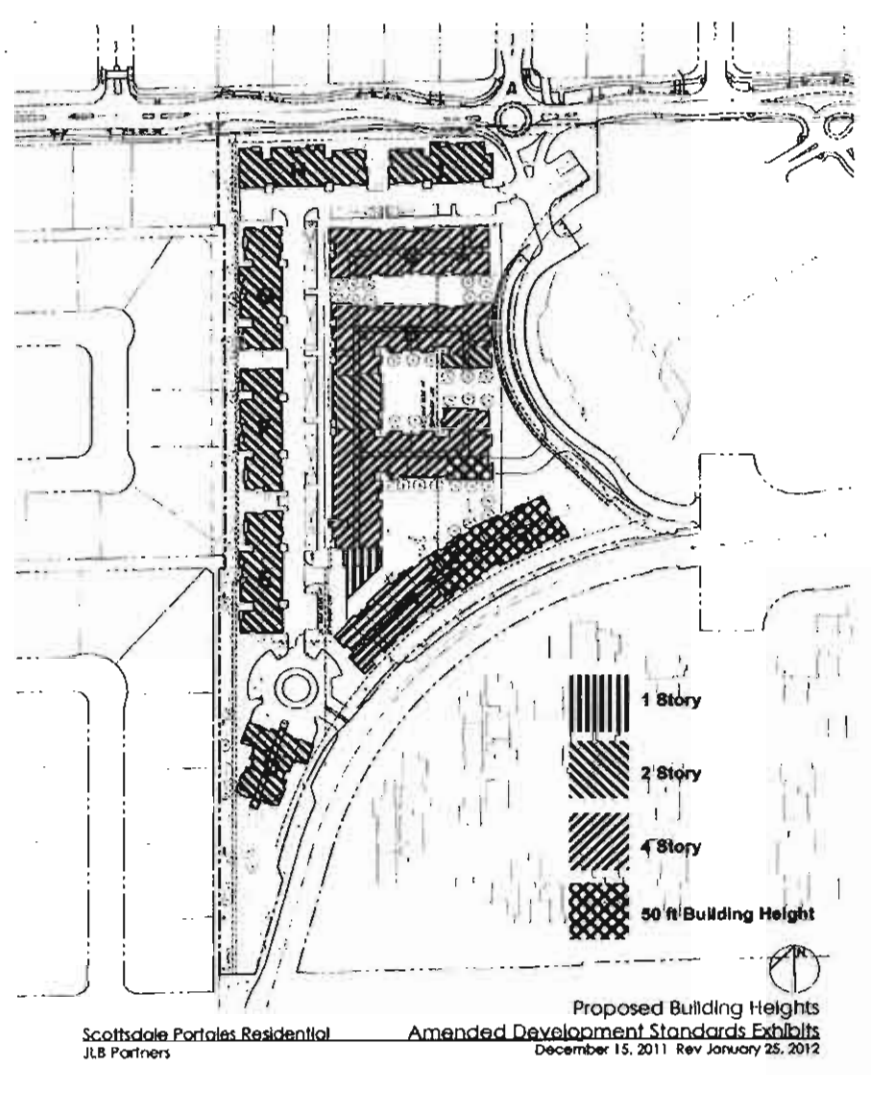
Portales Residential



SITE DEVELOPMENT PLAN

76-ZN-1985#6

Portales Residential



PROPOSED BUILDING HEIGHTS

76-ZN-1985#6

Portales Residential



ELEVATIONS

76-ZN-1985#6

Portales Residential

Development Standards	Standard Zoning D/RCO-2 PBD District	Existing Approved Development with Amended Development Standards D/RCO-2 PBD/DO	Proposed Development Plan with Amended Development Standards D/RCO-2 PBD/DO
Building Height	Max = 65'	65'	50'
Density	Max = 50 dwelling units/acre	13 dwelling units/acre (126 dwelling units)	38.49 dwelling units/acre (369 dwelling units)
Floor Area Ratio	Max allowed = 1.8	1.02 For 9.6 acre site = 425,917 sf	0.97 For 9.6 acre site = 407,266 sf
Open Space	None required	198,194 sf	174,420 sf (approx)
Setbacks	Front = 20' from planned curb; Side = 0' Rear = 0'	Front: 20' from planned curb (18' from decel lane) on Goldwater & 20' from planned curb on Chaparral	Front: 20' from planned curb (18' from decel lane) on Goldwater & 28' from planned curb on Chaparral

COMPARISON TABLE

76-ZN-1985#6

Portales Residential

Details in Staff Report identify:

Consistent with Downtown Character Area Plan

Consistent with PBD criteria

DRB Recommendation:

Approve proposed Amended Development Standards

Planning Commission Recommendation:

Approve proposed Amended Development Standards & amendments to zoning stipulations

76-ZN-1985#6

Portales Residential

Community Input:

- Concern about impact to traffic on Chaparral Road
- Concern about impact to traffic at intersection of
Scottsdale & Chaparral Road
- Concern about increased density

Stipulations for Traffic:

- Developer pays for south side Chaparral street
improvements from east of 69th Place to west of
71st Street
- Developer pays new eastbound right-turn lane at
Chaparral & Scottsdale Roads, including
modifications to traffic signal

Portales Residential

Planning Commission Recommendation:

Planning Commission recommends to City Council:

- PBD criteria have been met
- Zoning map amendment consisted with General Plan
- Approve request to modify original zoning stipulations & Amended Development Standards, per stipulations prepared by staff
- Approve new Development Plan for 369 multi-family residential units, per stipulations prepared by staff

76-ZN-1985#6

Portales Residential

CITIZENS OPPOSED - written correspondence received



6-ZN-1985#6

Portales Master Plan

Corporate Offices
445,000 s.f.
allowed
284,422 s.f.
existing

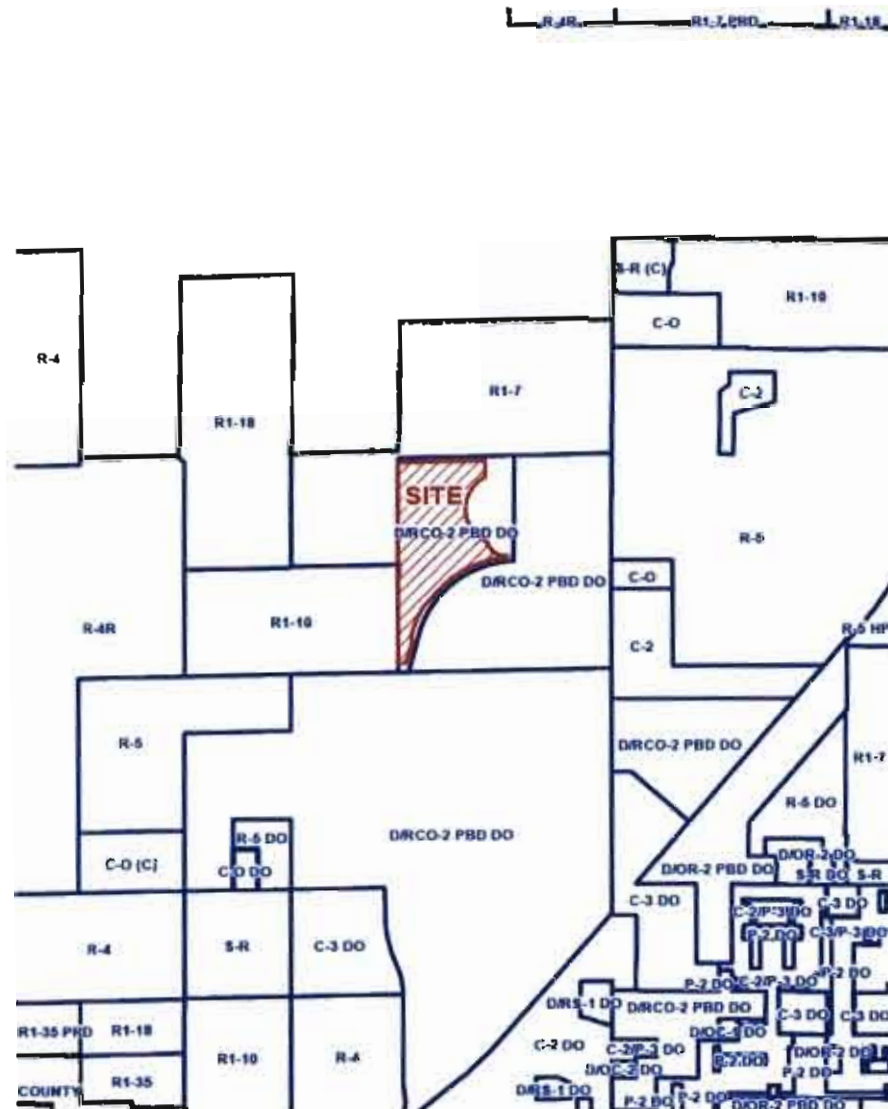
Portales
Residential
multi-family
residential units

Optima
• 750 units multi-
family residential



City of Scottsdale
Planning and Dev. Services
Dec. 17, 2004

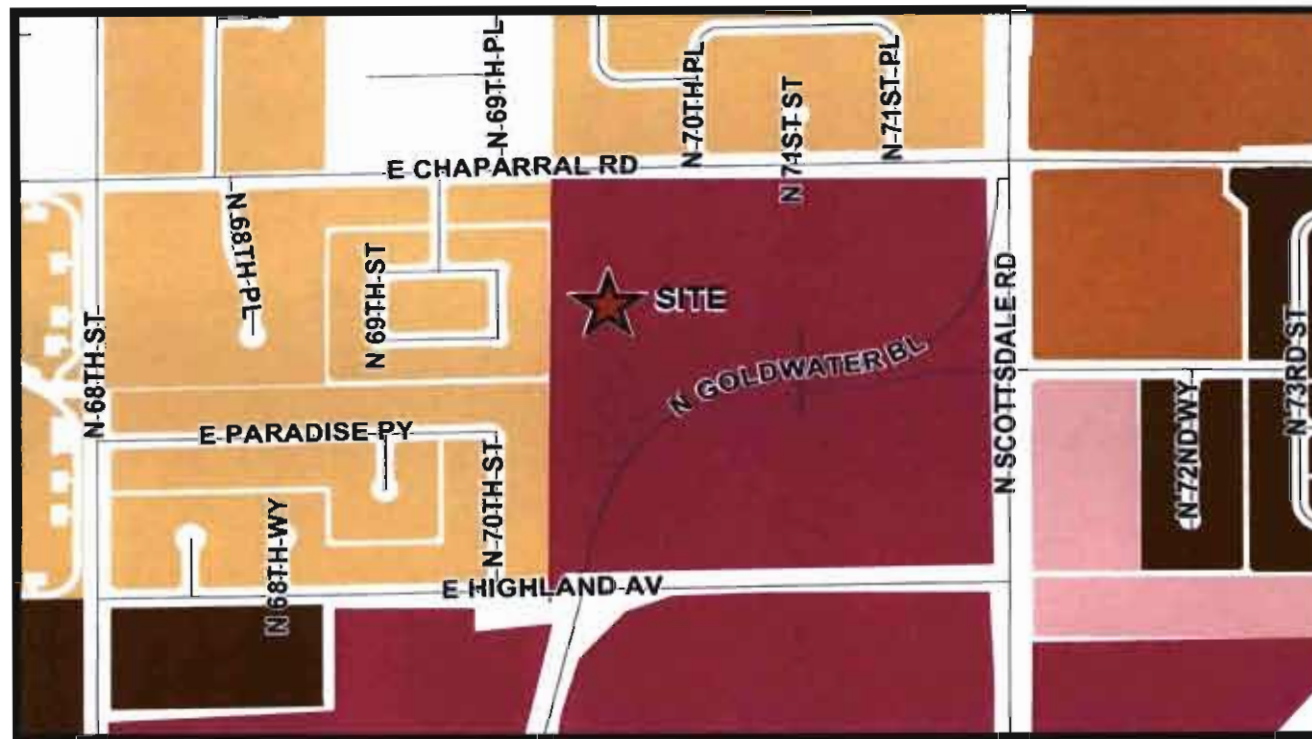
ZONING MAP



76-ZN-1985#6

Portales Residential

Land Use Plan



Land Use Designations

- | | | | |
|---|----------------------------------|---|---|
|  | Downtown Civic Center - Type 2 |  | Downtown Medical - Type 2 |
|  | Civic Center or Medical - Type 2 |  | Downtown Multiple Use - Type 2 |
|  | Downtown Core - Type 1 |  | Downtown Regional Multiple Use - Type 2 |

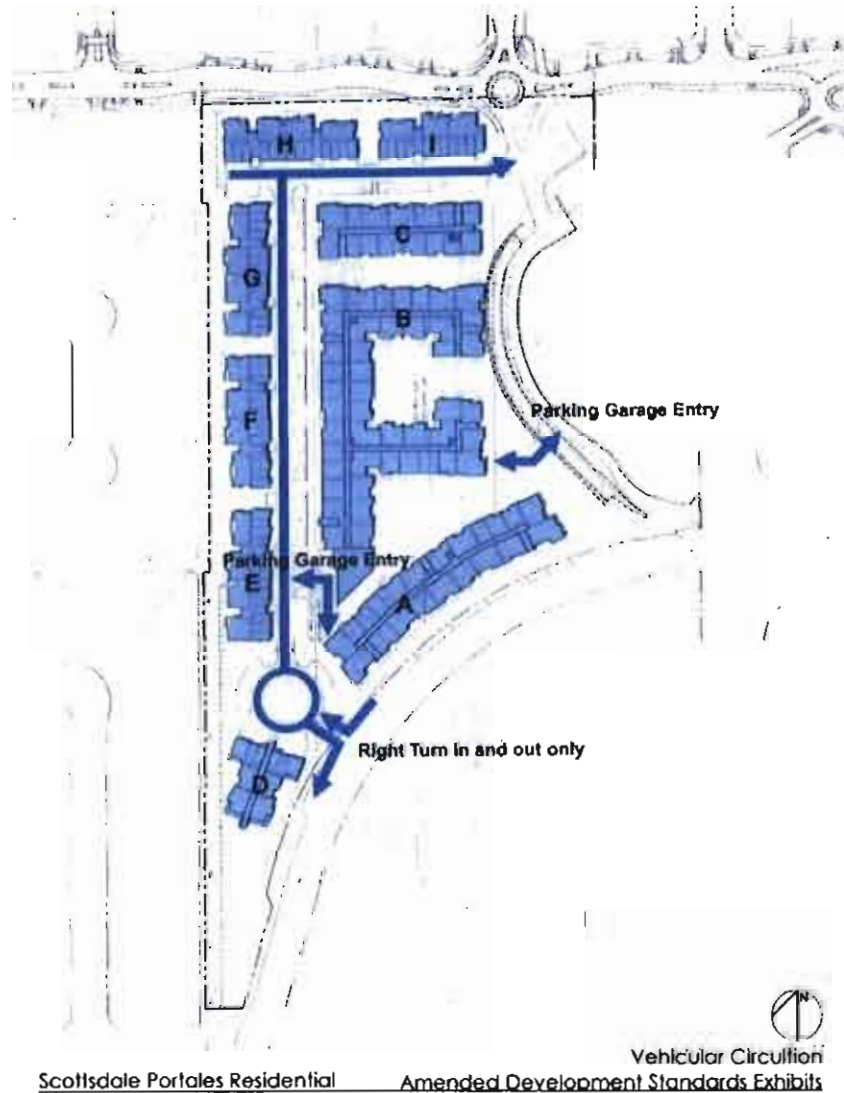
76-ZN-1985#6



GENERAL PLAN

76-ZN-1985#6

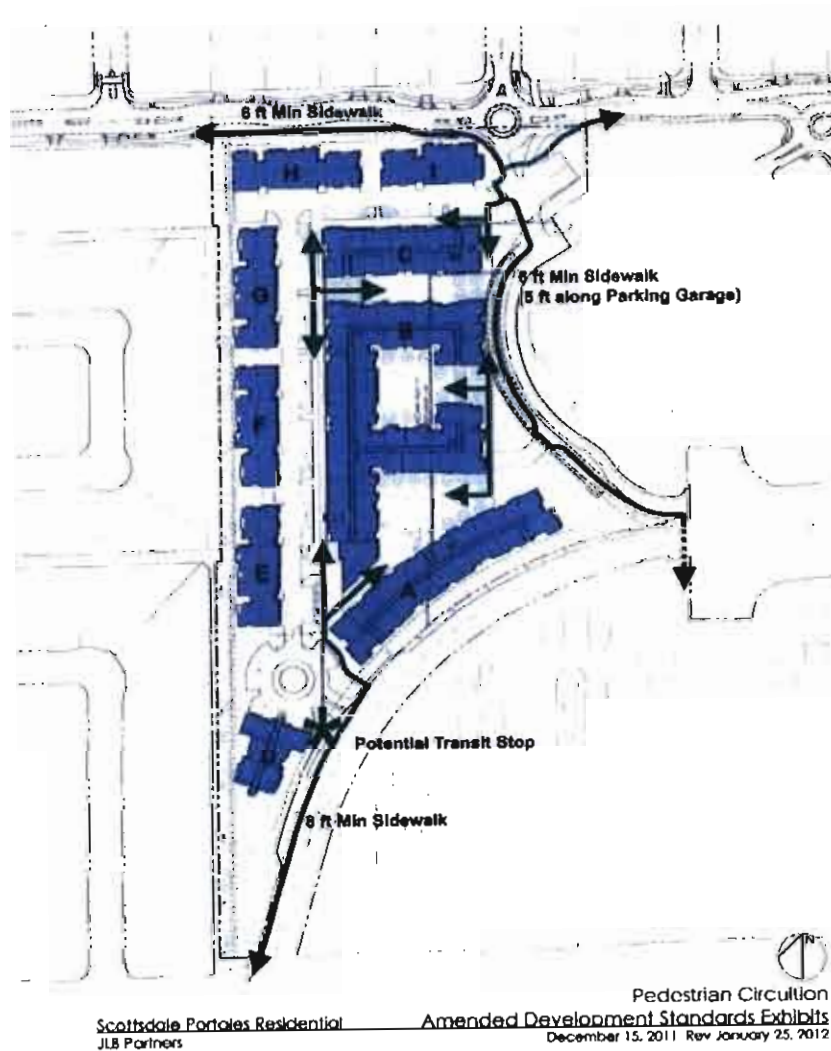
Portales Residential



VEHICULAR CIRCULATION

76-ZN-1985#6

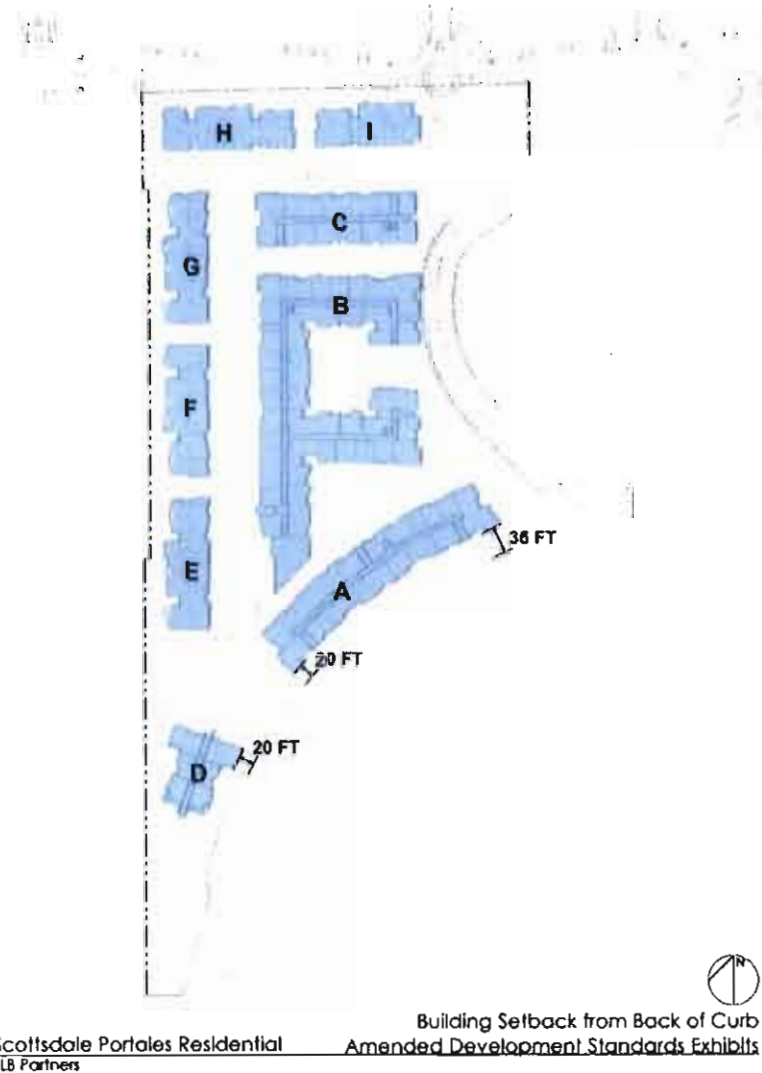
Portales Residential



PEDESTRIAN CIRCULATION

76-ZN-1985#6

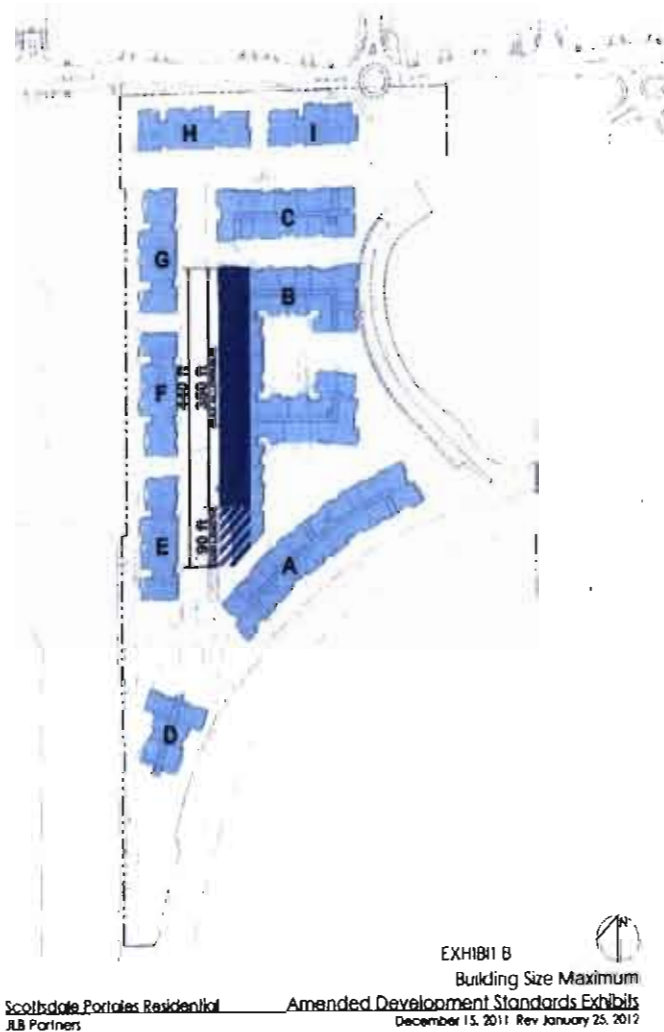
Portales Residential



BUILDING SETBACK FROM CURB

76-ZN-1985#6

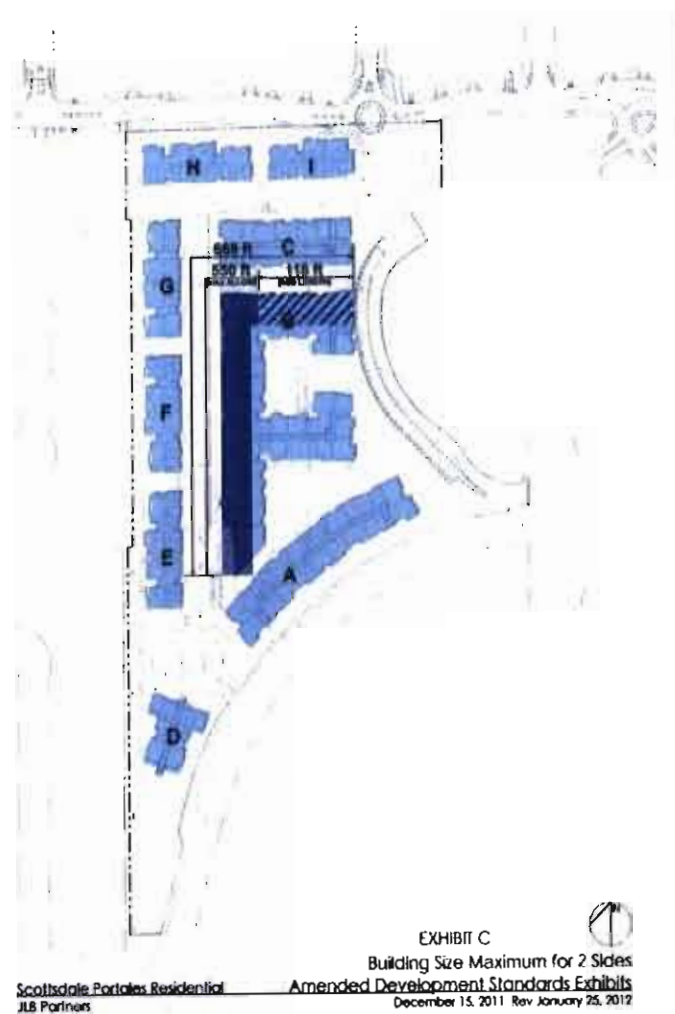
Portales Residential



BUILDING SIZE MAXIMUM

76-ZN-1985#6

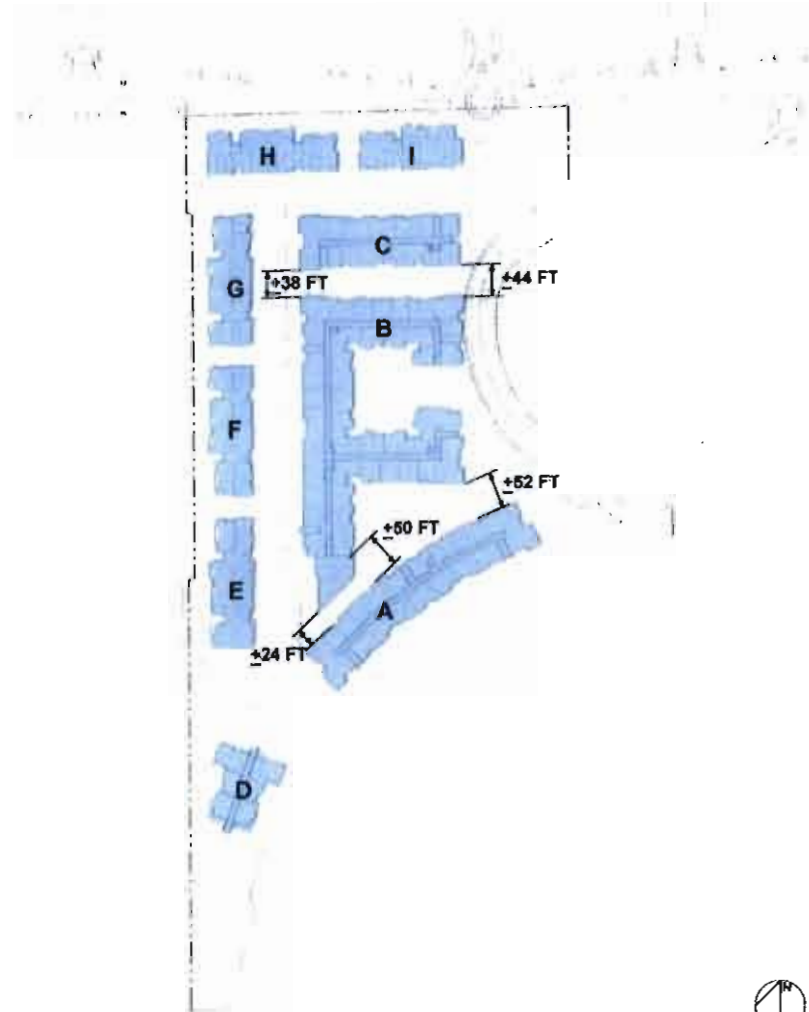
Portales Residential



BUILDING SIZE MAXIMUM FOR 2 SIDES

76-ZN-1985#6

Portales Residential



Scottsdale Portales Residential
JLB Partners

Minimum Building Separation
Amended Development Standards Exhibits

MINIMUM BUILDING SEPARATION

76-ZN-1985#6

Portales Residential

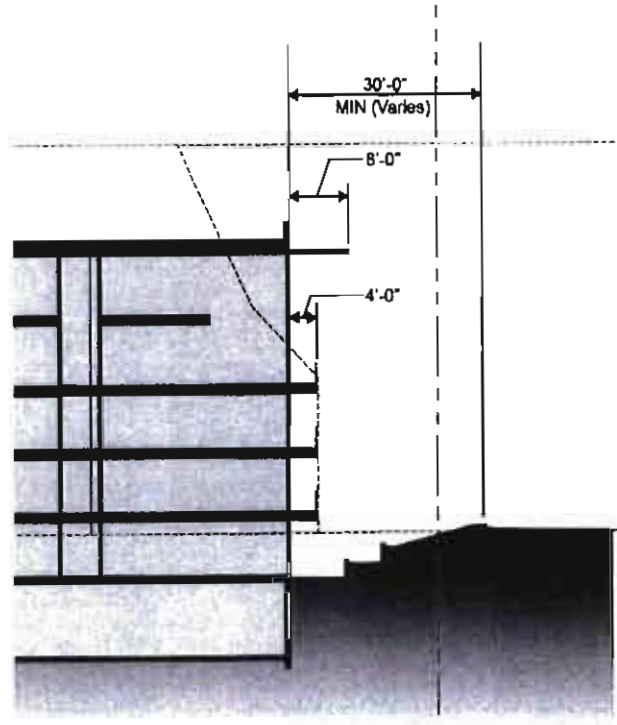


EXHIBIT E

Vertical Dimension Exhibit

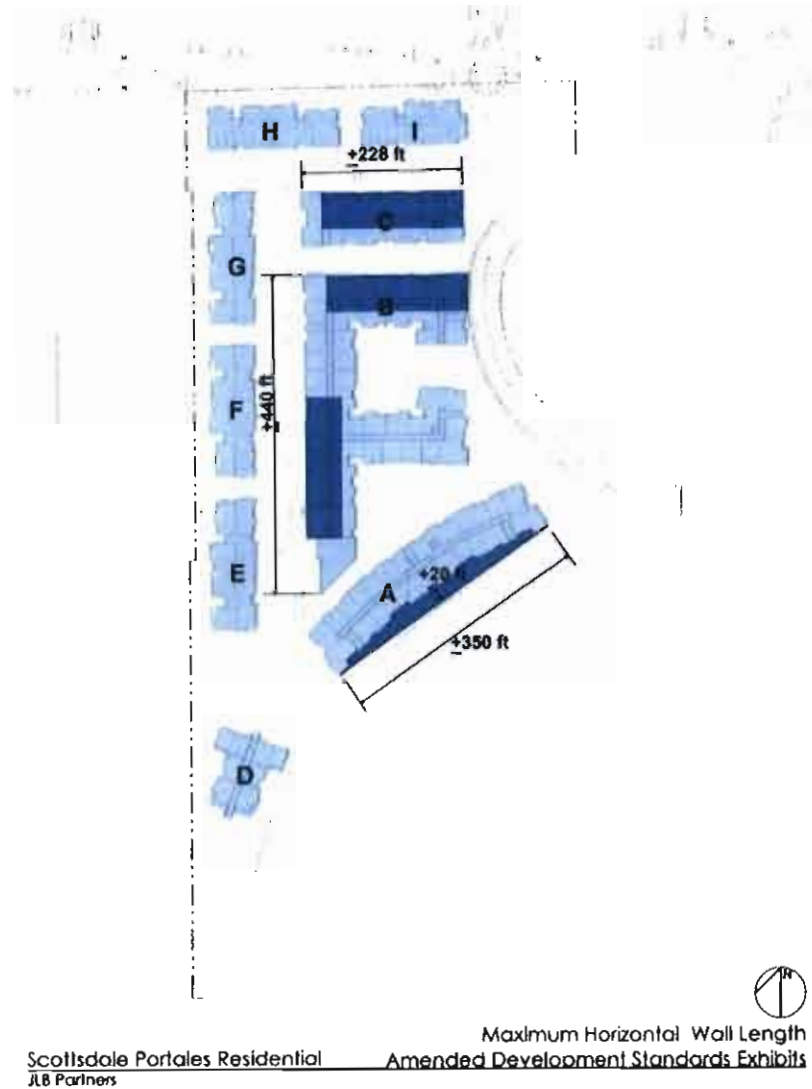
Scottsdale Portales Residential
JLB Partners

Amended Development Standards Exhibits
December 13, 2011 Rev January 23, 2012

VERTICAL DIMENSION EXHIBIT

76-ZN-1985#6

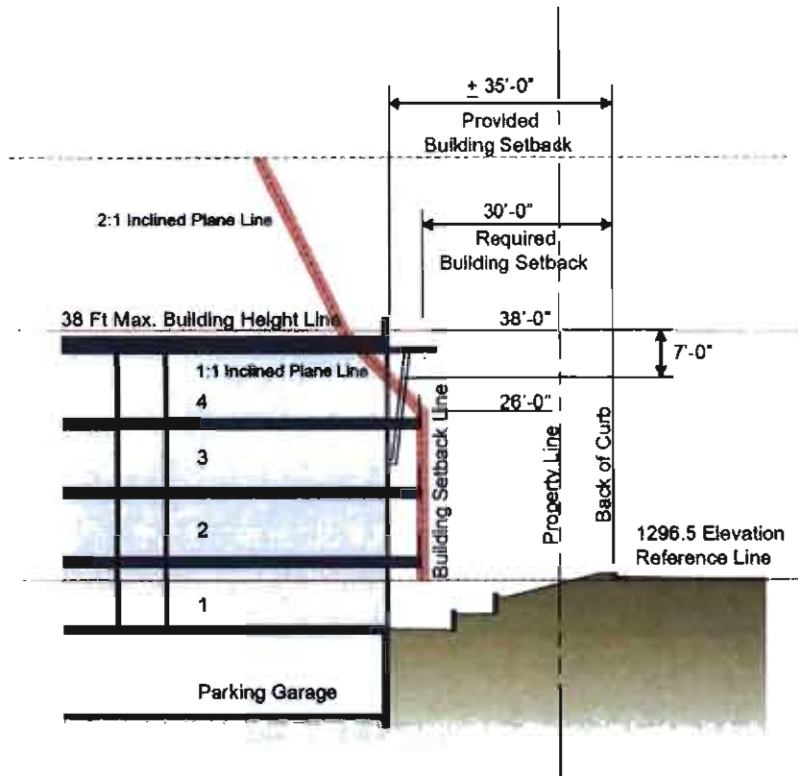
Portales Residential



MAXIMUM HORIZONTAL WALL LENGTH

76-ZN-1985#6

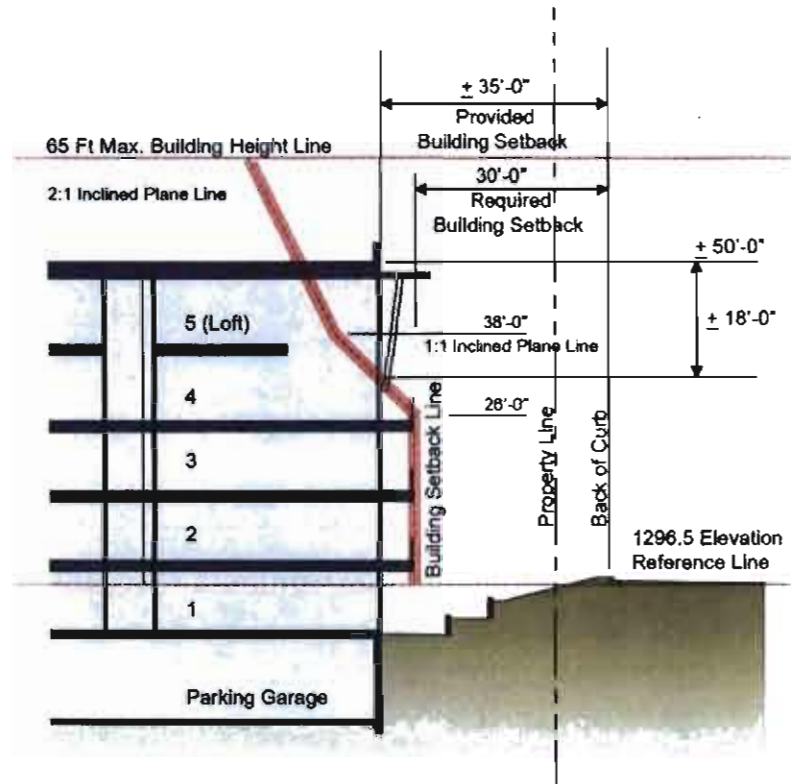
Portales Residential



Building A at 4 Story Portion

BUILDING SETBACK & INCLINED STEPBACK PLANE AT 4-STORY PORTION

Portales Residential



Building A at 5 Story Portion

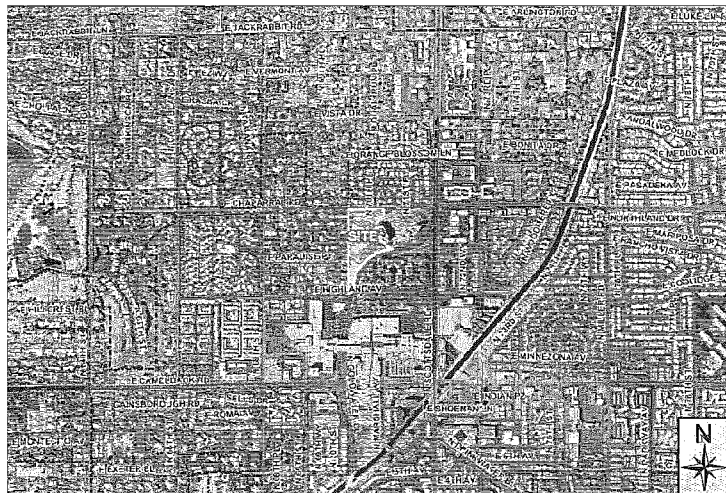
BUILDING SETBACK & INCLINED PLANE AT 5-STORY PORTION

Portales Residential
76-ZN-1985#6

Coordinator: Kim Chafin, AICP, LEED-AP

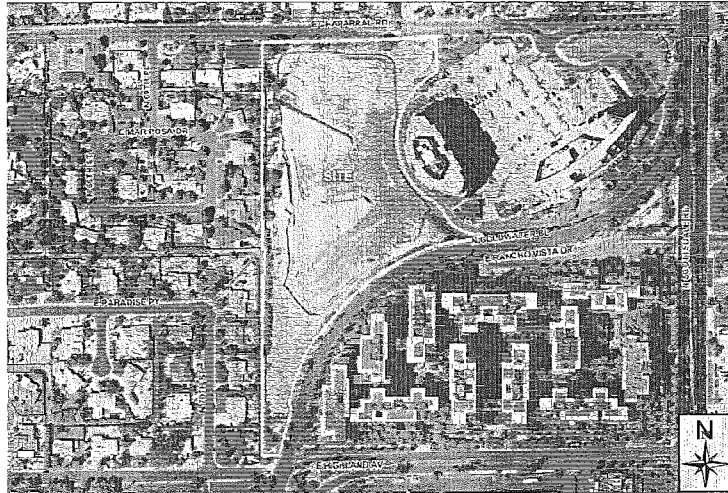
City Council
May 8, 2012

Portales Residential



76-ZN-1985#6

Portales Residential



CLOSE AERIAL

76-ZN-1985#6

Portales Residential

Entitlements Process:

✓ DRB: review & recommendation on ASDS

✓ Planning Commission: review & recommendation to City Council regarding:

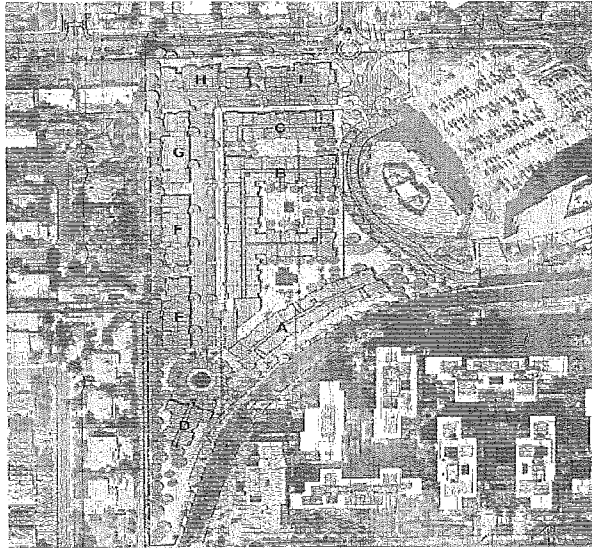
- Consistent with PBD criteria
- Consistent with GP

Next Steps:

- DRB

76-ZN-1985#6

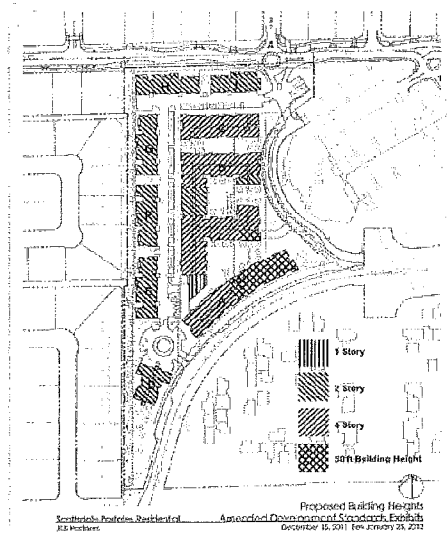
Portales Residential



SITE DEVELOPMENT PLAN

76-ZN-1985#6

Portales Residential



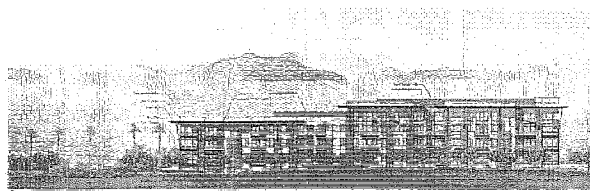
PROPOSED BUILDING HEIGHTS

76-ZN-1985#6

Portales Residential



A-301 (10/5/2015)



Bronchodilator Use

113

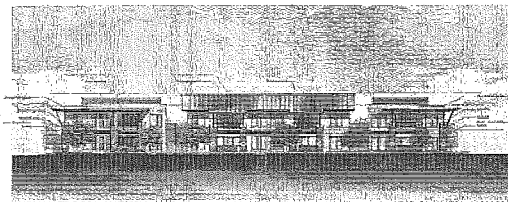
CHARGE: PIRACY

78-22-70205
2000 2001

ELEVATIONS

76-ZN-1985#6

Portales Residential



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TUB

FORNIA PROPOSAL 1. Continuing Student Status
Enrollment 7/21/99

74477-124,500
Ct. 12/1/2000

ELEVATIONS

76-ZN-1985#6

Portales Residential

Development Standards	Standard Zoning D/RCO-2 PBD District	Existing Approved Development with Amended Development Standards D/RCO-2 PBD/DO	Proposed Development Plan with Amended Development Standards D/RCO-2 PBD/DO
Building Height	Max = 65'	65'	50'
Density	Max = 50 dwelling units/acre	13 dwelling units/acre (126 dwelling units)	38.49 dwelling units/acre (369 dwelling units)
Floor Area Ratio	Max allowed = 1.8	1.02 For 9.6 acre site = 425,917 sf	0.97 For 9.6 acre site = 407,266 sf
Open Space	None required	198,194 sf	174,420 sf (approx)
Setbacks	Front = 20' from planned curb; Side = 0' Rear = 0'	Front: 20' from planned curb (18' from decel lane) on Goldwater & 20' from planned curb on Chaparral	Front: 20' from planned curb (18' from decel lane) on Goldwater & 28' from planned curb on Chaparral

COMPARISON TABLE

76-ZN-1985#6

Portales Residential

Details in Staff Report identify:

- ✓Consistent with Downtown Character Area Plan
 - EV1.4 Promote Downtown as a creative environment where people can live, work & pursue leisure activities
 - EV 2.1 Encourage new development & reinvestment that maintains Downtown's economic edge in the region.

- ✓Consistent with PBD criteria

DRB Recommendation:

Approve proposed Amended Development Standards

Planning Commission Recommendation:

Approve proposed Amended Development Standards & amendments to zoning stipulations

76-ZN-1985#6

Portales Residential

Community Input:

- Concern about impact to traffic on Chaparral Road
- Concern about impact to traffic at intersection of Scottsdale & Chaparral Road
- Concern about increased density

Stipulations for Traffic:

- Developer pays for south side Chaparral street improvements from east of 69th Place to west of 71st Street
- Developer pays new eastbound right-turn lane at Chaparral & Scottsdale Roads, including modifications to traffic signal

76-ZN-1985#6

Portales Residential

Planning Commission Recommendation:

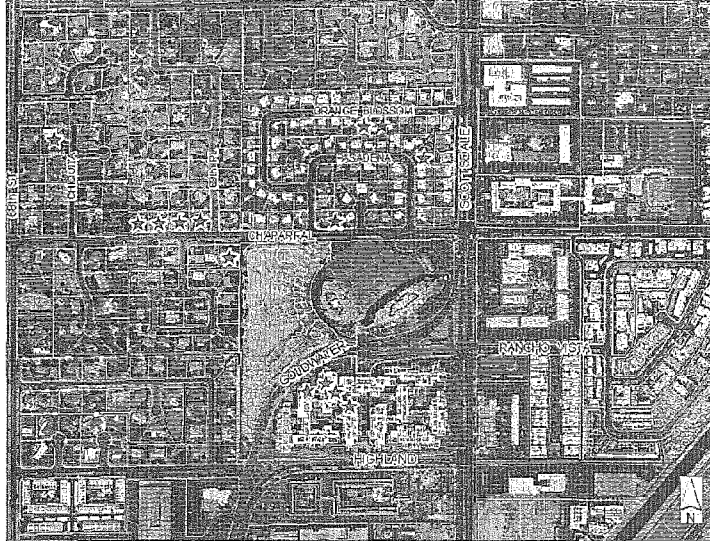
Planning Commission recommends to City Council:

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76-ZN-1985#6

Portales Residential

CITIZENS OPPOSED - written correspondence received



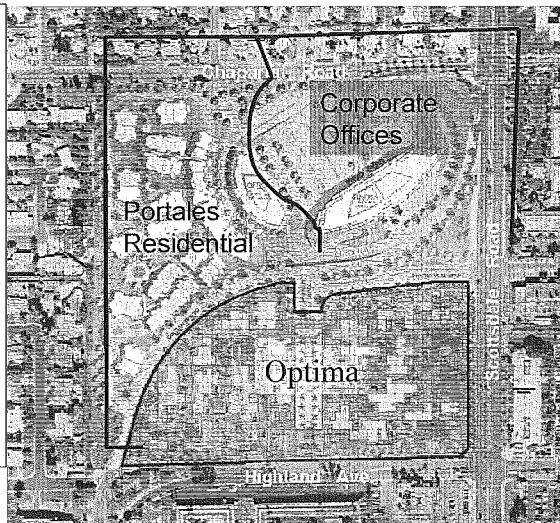
6-ZN-1985#6

Portales Master Plan

Corporate Offices
445,000 s.f.
allowed
284,422 s.f.
existing

Portales
Residential
multi-family
residential units

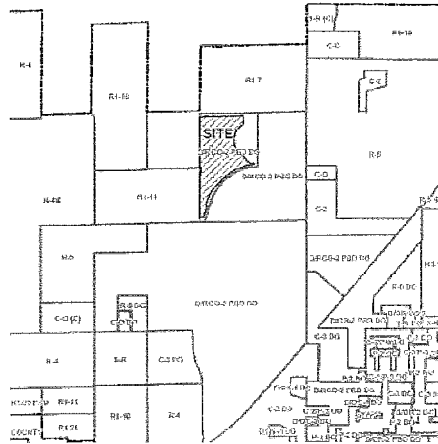
Optima
• 750 units multi-
family residential



City of Scottsdale
Planning and Dev. Services
Dec. 17, 2004

Portales Residential

1"=60' 1"=120' 1"=180'

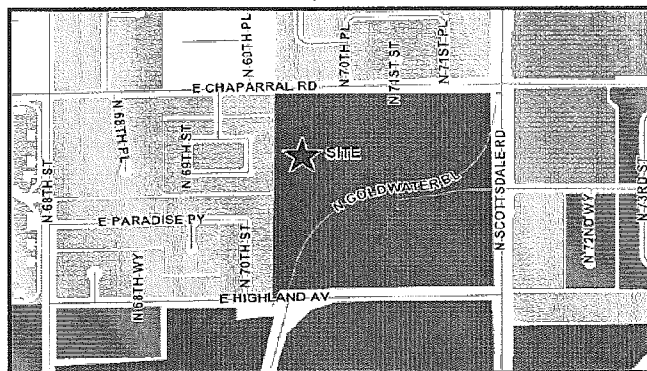


ZONING MAP

76-ZN-1985#6

Portales Residential

Land Use Plan



Land Use Designations

- Downtown Civic Center - Type 2
- Civic Center or Medical - Type 2
- Downtown Core - Type 1
- Downtown Medical - Type 2
- Downtown Multiple Use - Type 2
- Downtown Regional Multiple Use - Type 2

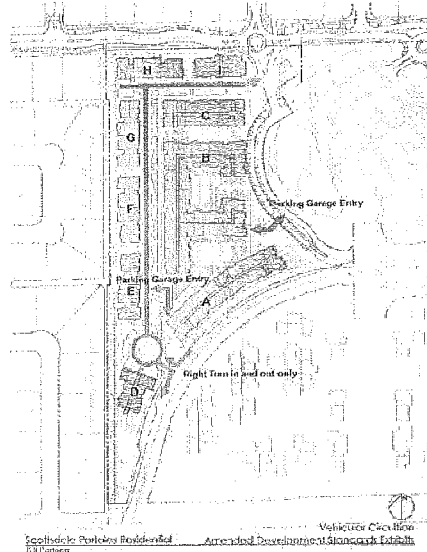
76-ZN-1985#6



GENERAL PLAN

76-ZN-1985#6

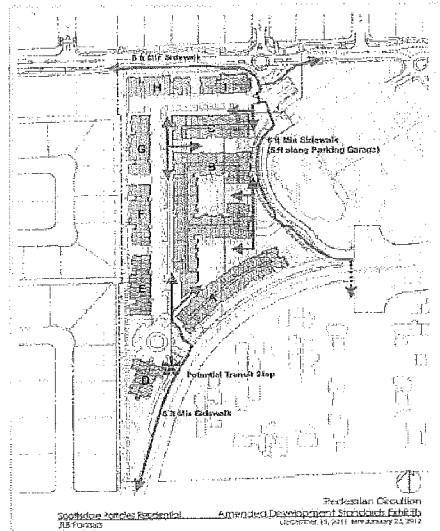
Portales Residential



VEHICULAR CIRCULATION

76-ZN-1985#6

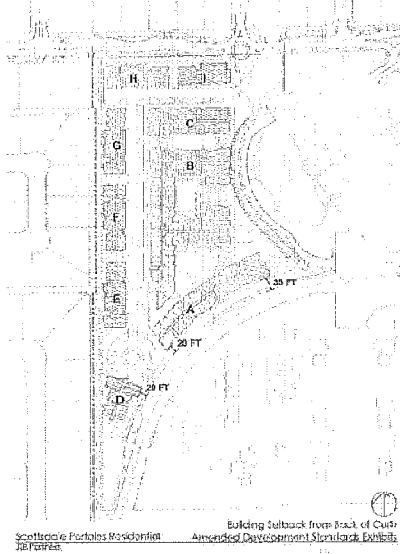
Portales Residential



PEDESTRIAN CIRCULATION

76-ZN-1985#6

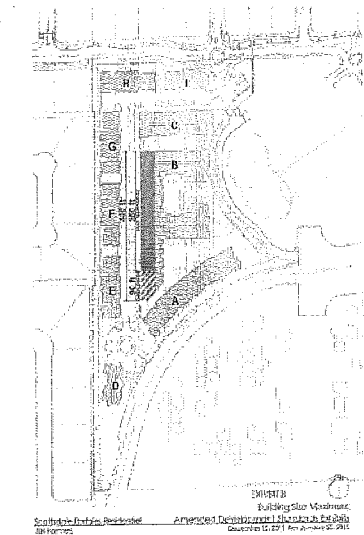
Portales Residential



BUILDING SETBACK FROM CURB

76-ZN-1985#6

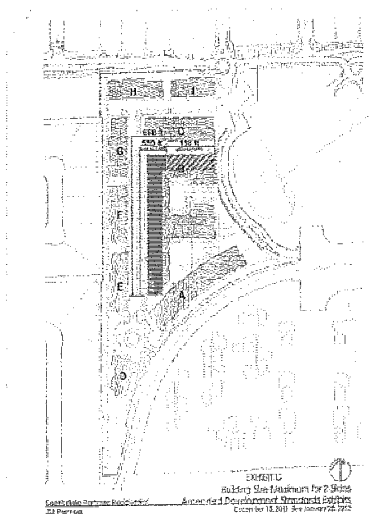
Portales Residential



BUILDING SIZE MAXIMUM

76-ZN-1985#6

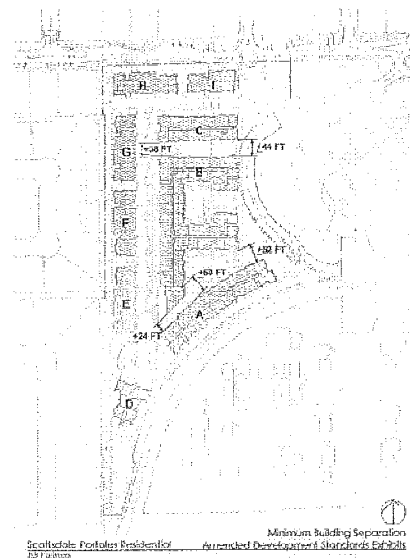
Portales Residential



BUILDING SIZE MAXIMUM FOR 2 SIDES

76-ZN-1985#6

Portales Residencial



MINIMUM BUILDING SEPARATION

76-ZN-1985#6

Portales Residential

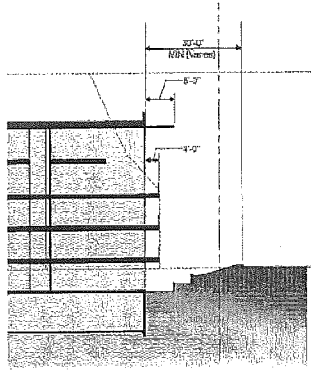


EXHIBIT E
Vertical Dimension Exhibit
Scallade Portales Residential
Approved Development Standards Exhibit
2009-06-10 10:01:11 AM January 21, 2010

VERTICAL DIMENSION EXHIBIT

76-ZN-1985#6

Portales Residential

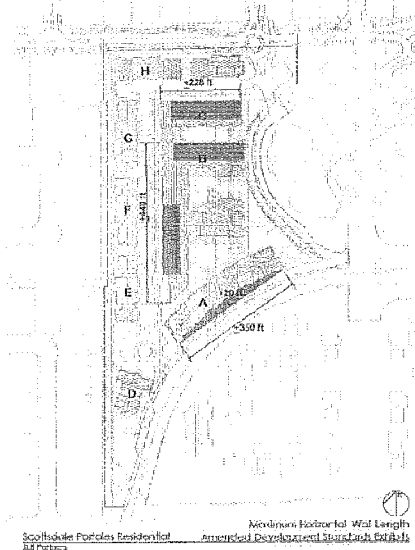
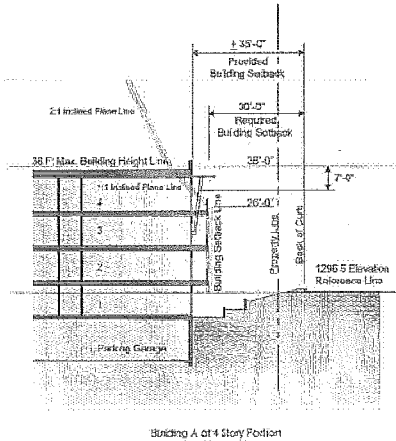


EXHIBIT F
Maximum Horizontal Wall Length
Scallade Portales Residential
Approved Development Standards Exhibit
2009-06-10 10:01:11 AM January 21, 2010

MAXIMUM HORIZONTAL WALL LENGTH

76-ZN-1985#6

Portales Residential

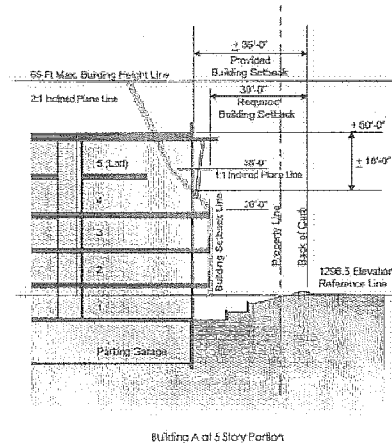


BUILDING SETBACK & INCLINED STEPBACK PLANE AT 4-STORY PORTION

Scottsdale Portales Residential
 Building Setback and Inclined Plane
 Amended Development Standards, Exhibit 13.01

76-ZN-1985#6

Portales Residential



BUILDING SETBACK & INCLINED PLANE AT 5-STORY PORTION

Scottsdale Portales Residential
 Building Setback and Inclined Plane
 Amended Development Standards, Exhibit 13.01

76-ZN-1985#6



Current Planning

7447 East Indian School Road, Suite 105

Scottsdale, Arizona 85251

Patty Badenoch
5027 N. 71st Place
Scottsdale, AZ 85253

May 8, 2012

Re: Legal Protest of Case 76-ZN-1985#6

Dear Mrs. Badenoch:

In your May 4, 2012 letter to the City of Scottsdale, you have asserted a legal protest filing against the Portales Residential project (Case 76-ZN-1875#6). On May 7, several property owners rescinded their protest. After careful consideration and evaluation of property within 150 feet of the rezoning area, it has been determined that the remaining protest is not valid under Zoning Ordinance Section 1.706. The remaining protest property amounts to an area significantly less than 20%.

Please let me know if you have any questions.

Sincerely,

Kim Chafin
Senior Planner
Planning, Neighborhood & Transportation

Attachment: Letters received May 4, 2012
Letters received May 7, 2012

CC: City Attorney
JLB Partners
Berry & Damore
Sam West

OFFICE OF THE
CITY CLERK

2012 MAY -4 AM 11:03

May 4, 2012

City of Scottsdale
3939 North Drinkwater Blvd. Scottsdale, AZ 85251

Mayor W.J. "Jim" Lane
Vice Mayor Linda Milhaven
Councilwoman Lisa M. Borowsky
Councilwoman Suzanne Klapp
Councilman Robert Littlefield
Councilman Ron McCullagh
Councilman Dennis Robbins

Re: Proposed Zoning Map Amendment Known as Zoning Case Number 76-ZN-1985#6

Dear Mayor, Vice Mayor, Councilmen, and Councilwomen:

I am filing the attached legal protest on behalf of the following property owners owning property north across of the proposed project.

Sevilla Gonzalez
7036 East Chaparral Rd.
Lot 17 Camelback Park Estates
Tax Parcel No.: 173-22-017, Records, Maricopa County, AZ.

Dennis O. Dugan
7040 East Chaparral Rd.
Lot 18 Camelback Park Estates
Tax Parcel No.: 173-22-018, Records, Maricopa County, AZ.

Wilson Jones
7046 East Chaparral Rd.
Lot 19 Camelback Park Estates
Tax Parcel No.: 173-22-019, Records, Maricopa County, AZ.

Marcela Rendon
7014 East Chaparral Rd.
Lot 22 Camelback Park Estates
Tax Parcel No.: 173-22-022, Records, Maricopa County, AZ.

Michael & Madylon Harper
7020 East Chaparral Rd.
Lot 23 Camelback Park Estates
Tax Parcel No.: 173-22-023, Records, Maricopa County, AZ.

Nancy Champlin
7025 East Pasadena Ave.
Lot 25 Camelback Park Estates
Tax Parcel No.: 173-22-025, Records, Maricopa County, AZ.

Elinor M. Mavor Trust
7015 East Pasadena Ave.
Lot 27 Camelback Park Estates
Tax Parcel No.: 173-22-027, Records, Maricopa County, AZ.

Donald J. Ziriaux Trust
7009 East Pasadena Ave.
Lot 28 Camelback Park Estates
Tax Parcel No.: 173-22-028A, Records, Maricopa County, AZ.

Robert L. Cooper
5020 N. 70th. Street
Lot 29 Camelback Park Estates
Tax Parcel No.: 173-22-029A, Records, Maricopa County, AZ.

Refer to attached letters and map.

The owners opposing the Proposed Rezoning constitute more than is required by the Scottsdale City Code to require a super majority of the Council to pass the Proposed Rezoning.

The Proposed Rezoning should be rejected for the following reasons:

- A. Traffic: The Proposed Rezoning will add nearly 1,000 additional auto trips per day to the previously approved increase of approximately 560 trips making the total increase about 1,560 trips per day. The previously approved plan limited the access to Chaparral to forty condominiums. That limited the number of auto trips per day too somewhere around 160 trips per day. The proposed project, including modification to the original stipulations, increases the trips from 160 per day to about 800 per day. This is assuming half the trips would be using the south drive access to Goldwater. The Scottsdale Road and Chaparral intersection causes traffic backs up to the existing north entrance to the project now. No additional traffic should be added until improvements to the intersection and Chaparral are complete. This is a traffic safety and pollution problem. This project will add west bound traffic on Chaparral Road from Hayden. Chaparral Road is already carrying more traffic than it was intended to or has the capacity for. A proposal to add an item to the proposed bond to pay for some portion of the improvement has been put forth. The taxpayers should not have to pay for a street improvement need caused by this development and/or other developments approved for this area.

- B. Taxes: It is an established fact that at a certain point increased density increases the cost of city services. All the Scottsdale taxpayers will be subsidizing this increase in cost for fire, police, water and sewer services this project will incur.
- C. The Proposed Rezoning is detrimental to the health, safety, and welfare, of the citizens of Scottsdale. Fire and Emergency Services Ingress and Egress. The density and access issues associated with the Proposed Rezoning will increase the risk to human life.
- D. Utilities: No studies have been performed to analyze the impact of the Proposed Rezoning on demands for the City sewer system. The increase in will result in a significant increase in demand upon the City water and sewer system.
- E. Environment: Approval of this project will have a negative effect on the environment. It will aggravate the Heat Island effect by adding traffic and the heat caused by the project itself. Increasing the temperature has a negative affect on tourism.
- F. Increased Noise: The increased height along Coldwater Boulevard will create a canyon effect, trapping traffic noise between the existing Optima project and the proposed new buildings along Goldwater.
- G. Height: If approved this Rezoning will allow additional height, closer to the property line, along the entire west boundary of the project. This will reduce the esthetic and consequently the economic value of the existing homes to the west. The same principal applies to a lesser extent along the north side of the project. The only way to justify the statement "it will increase the value of abutting properties" is to say an anticipated future use involving higher density will increase values. This is a false assumption.
- H. Entitlement: The existing entitlement was granted with a stipulation that one-hundred and thirty-nine condominiums would be built. That entitlement limited the height, density (number of units and consequently number of inhabitants), number of auto trips per day, access to abutting streets and use. The stipulations are a part of the entitlement.

Based upon this, the Proposed Rezoning should be rejected.

Sincerely,



Patty Badenoeh,

cc: property owners

Pursuant to Section 1.706 of the Scottsdale Zoning Ordinance, we with this file an irrevocable Legal Protest against the *Portales Residential* proposal, zoning case number 76-ZN-1985 #6. Located North of the Southwest Corner of Scottsdale Road & Chaparral. The case proposes to increase the density on the 9.7(+/-) acre site from the previously approved 126 condominiums to 379 rental units. If approved, the density would go up from about 13 units per acre to about 39 units per acre. This is a 300% increase in density.

As property owners directly opposite the proposed project on the north side of Chaparral Road, who constitute more than *"Twenty (20) percent or more of the area of those directly opposite the subject property of the zoning map amendment extending one hundred fifty (150) feet from the dedicated street frontage of the opposite lots."* As required by Section 1.706, (Ord. No. 2495, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95) we respectfully request this proposed change be denied.

Name	Date	Address	Signature	
Jones	7046	E. Chaparral	1-27-12	WW Jones
	7104	E. Chaparral	1-27-12	
	5012	N. 71 st Street	1-27-12	
	5016	N. 71 st Street	1-27-12	
	5011	N. 71 st Street	1-27-12	
	5020	N. 70 th Street	4/29/12	Tenn L Redden

Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ 85251

Pursuant to Section 1.706 of the Scottsdale Zoning Ordinance, the undersigned hereby files a legal protest against the proposed zoning map amendment known as *Portales Residential*, zoning case number 76-ZN-1985#6, located West of the Southwest Corner of Scottsdale Road & Chaparral. The Proposed Amendment will increase the number of units on the 9.7 (+/-) acre site from the previously approved 126 condominiums to 369(+/-) apartments. If approved, the density would increase from approximately thirteen units per acre to approximately thirty-nine units per acre. This is a three-hundred percent increase in density.

As a property owner directly opposite the proposed project on the north side of Chaparral Road, along with other property owners that, in the aggregate, constitute *"twenty (20) percent or more of the area of those directly opposite the subject property of the zoning map amendment, extending one hundred fifty (150) feet from the dedicated street frontage of the opposite lots"*, the undersigned objects to the Proposed Amendment. In accordance with Section 1.706, (Ord. No. 2495, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95), the undersigned respectfully requests that the City Council reject the Proposed Amendment.

Sevilla Gonzalez
7036 East Chaparral Rd.
Scottsdale, Arizona 85253
Lot 17
Camelback Park Estates
173-22-017

Signed by:



Date:

02/19/2012

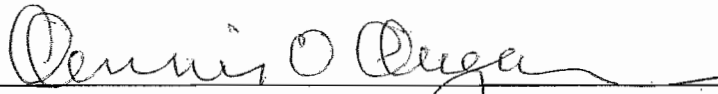
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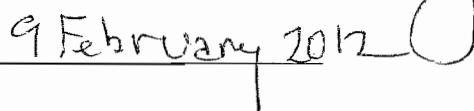
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Dennis O. Dugan
7040 East Chaparral Rd.
Scottsdale, Arizona 85253
Lot 18
Camelback Park Estates
173-22-018

Signed by:



Date:



Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ 85251

Pursuant to Section 1.706 of the Scottsdale Zoning Ordinance, the undersigned hereby files a legal protest against the proposed zoning map amendment known as *Portales Residential*, zoning case number 76-ZN-1985#6, located West of the Southwest Corner of Scottsdale Road & Chaparral. The Proposed Amendment will increase the number of units on the 9.7 (+/-) acre site from the previously approved 126 condominiums to 369(+/-) apartments. If approved, the density would increase from approximately thirteen units per acre to approximately thirty-nine units per acre. This is a three-hundred percent increase in density.

As a property owner directly opposite the proposed project on the north side of Chaparral Road, along with other property owners that, in the aggregate, constitute *"twenty (20) percent or more of the area of those directly opposite the subject property of the zoning map amendment, extending one hundred fifty (150) feet from the dedicated street frontage of the opposite lots"*, the undersigned objects to the Proposed Amendment. In accordance with Section 1.706, (Ord. No. 2495, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95), the undersigned respectfully requests that the City Council reject the Proposed Amendment.

Marcela Rendon
7014 East Chaparral Rd.
Scottsdale, Arizona 85253
Lot 22
Camelback Park Estates
173-22-022

Signed by:

Marcela Rendon

Date:

Feb 20 2012

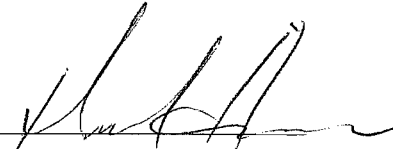

Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ 85251

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Michael & Madylon Harper
7020 East Chaparral Rd.
Scottsdale, Arizona 85253
Lot 23
Camelback Park Estates
173-22-023

Signed by:



Date:


FEB 20, 2012

Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ85251

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Elinor M. Mavor Trust
7015 East Pasadena Ave.
Scottsdale, Arizona 85253
Lot 27
Camelback Park Est.
173-22-027

Signed by: 

Date: 2/19/12

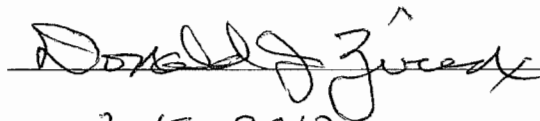
Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ85251

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Donald J. Ziriox Trust
7009 East Pasadena Ave.
Scottsdale, Arizona 85253
Lot 28
Camelback Park Est.
173-22-028A

Signed by:

_____

Date:

2-19-2012

Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ 85251

Pursuant to Section 1.706 of the Scottsdale Zoning Ordinance, the undersigned hereby files a legal protest against the proposed zoning map amendment known as *Portales Residential*, zoning case number 76-ZN-1985#6, located West of the Southwest Corner of Scottsdale Road & Chaparral. The Proposed Amendment will increase the number of units on the 9.7 (+/-) acre site from the previously approved 126 condominiums to 369 (+/-) apartments. If approved, the density would increase from approximately thirteen units per acre to approximately thirty-nine units per acre. This is a three-hundred percent increase in density.

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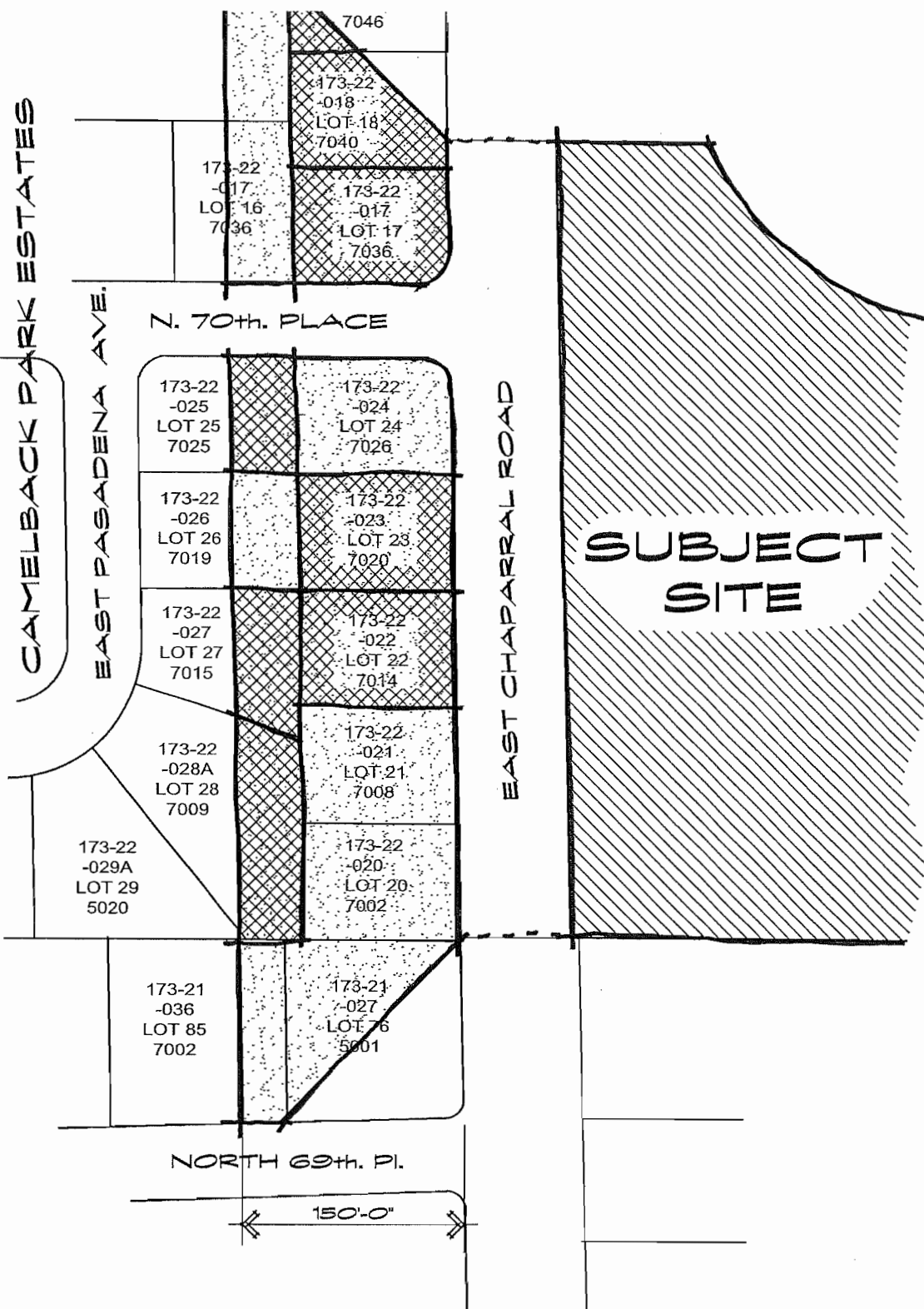
JEROME STUCENSKI
7025 E. PASADENA AVE.
SCOTTSDALE, AZ. 85251
CAMELBACK PARK ESTATES, LOT 25
APN: 173-22-025

Signed by: _____

Date: _____

4-26-12

FOR: NANCY CHAMPLIN



ILLUSTRATIVE PARCEL PLAN

SCALE:

1" = 100'-0"



ZONING CASE NUMBER 76-ZN-1985#6

TOTAL AREA ELIGIBLE TO PROTEST EXCLUDING ALL RIGHTS OF WAYS = 94,676 SQ. FT.

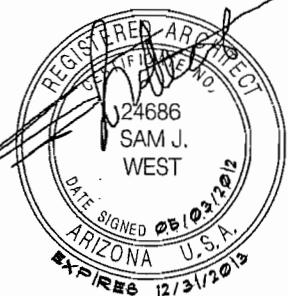
TOTAL AREA OF PROTESTANTS = 46,026 SQ. FT.

PERCENTAGE OF AREA PROTESTING = 48.61%

NOTE: BASE DRAWING USED TO COMPUTE AREAS IS TO SCALE AND IS BASED ON SUBDIVISION PLATS AND MARICOPA COUNTY ASSESSORS DATA AND ARE APPROXIMATE.

DATE:

05/03/2012



STATE OF ARIZONA

COUNTY OF Maricopa

On the 3rd day of May in the year 2012 before
me, the undersigned, personally appeared Patricia J. Badenoch,

Personally known to me or proved to me on the basis of satisfactory evidence to me the
individuals whose names are subscribed to the within instrument and acknowledged to
me

that he/she they executed the same in his/her/their capacities, and that by his/her/their
signatures on the instrument, the individuals, or the person upon behalf of which the
individuals acted, executed the instrument.

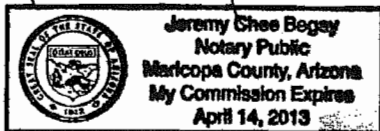
The following names listed below I have personally witnessed with their signatures:

Lot 12 Robert Wardy
Lot 17 Sevilla Gonzales
Lot 18 Dennis O. Dugan
Lot 19 Wilson Jones
Lot 22 Marcela Rendon
Lot 23 Michael & Madylon Harper
Lot 25 Jerome Stucehski
Lot 27 Elinor M. Mavor
Lot 28 Donald J. Ziriaux

Lot 10 Ronald & Beth Harris
Lot 12 Robert Wardy
Lot 13 Jami Dettmann & Christopher Layman
Lot 14 George Xanthopoulos
Lot 18 Robert Crompton
Lot 20 Robert & Diane Berg

5/3/12 Patricia J. Badenoch

Jeremy Chee Begay 5/3/12



Patricia Guard Badenoch

*5027 North Seventy First Place
Scottsdale, Arizona 85253*

Phone: (480) 949-9549

Cell: (602) 300-5936

*E-mail: guardbadenoch@aol.com
cox.net*

OFFICE OF THE
CITY CLERK

2012 MAY -4 AM 11: 03

May 4, 2012

City of Scottsdale
3939 North Drinkwater Blvd. Scottsdale, AZ 85251

Mayor W.J. "Jim" Lane
Vice Mayor Linda Milhaven
Councilwoman Lisa M. Borowsky
Councilwoman Suzanne Klapp
Councilman Robert Littlefield
Councilman Ron McCullagh
Councilman Dennis Robbins

Re: Proposed Zoning Map Amendment Known as Zoning Case Number 76-ZN-1985#6

Dear Mayor, Vice Mayor, Councilmen, and Councilwomen:

I am filing the attached legal protest on behalf of the following property owners owning property north across of the proposed project.

Refer to attached signatures.

The owners opposing the Proposed Rezoning constitute more than is required by the Scottsdale City Code to require a super majority of the Council to pass the Proposed Rezoning.

The Proposed Rezoning should be rejected for the following reasons:

- A. Traffic: The Proposed Rezoning will add nearly 1,000 additional auto trips per day to the previously approved increase of approximately 560 trips making the total increase about 1,560 trips per day. The previously approved plan limited the access to Chaparral to forty condominiums. That limited the number of auto trips per day too somewhere around 160 trips per day. The proposed project, including modification to the original stipulations, increases the trips from 160 per day to about 800 per day. This is assuming half the trips would be using the south drive access to Goldwater. The Scottsdale Road and Chaparral intersection causes traffic backs up to the existing north entrance to the project now. No additional traffic should be added until improvements to the intersection and Chaparral are complete. This is a traffic safety and pollution problem. This project will add west bound traffic on Chaparral Road from Hayden. Chaparral Road is already carrying more traffic than it was intended to or has the capacity for. A proposal to add an item to the proposed bond to pay for some portion of the improvement has been put forth. The taxpayers should not have to pay for a street improvement need caused by this development and/or other developments approved for this area.

- B. Taxes: It is an established fact that at a certain point increased density increases the cost of city services. All the Scottsdale taxpayers will be subsidizing this increase in cost for fire, police, water and sewer services this project will incur.
- C. The Proposed Rezoning is detrimental to the health, safety, and welfare, of the citizens of Scottsdale. Fire and Emergency Services Ingress and Egress. The density and access issues associated with the Proposed Rezoning will increase the risk to human life.
- D. Utilities: No studies have been performed to analyze the impact of the Proposed Rezoning on demands for the City sewer system. The increase in will result in a significant increase in demand upon the City water and sewer system.
- E. Environment: Approval of this project will have a negative effect on the environment. It will aggravate the Heat Island effect by adding traffic and the heat caused by the project itself. Increasing the temperature has a negative affect on tourism.
- F. Increased Noise: The increased height along Coldwater Boulevard will create a canyon effect, trapping traffic noise between the existing Optima project and the proposed new buildings along Goldwater.
- G. Height: If approved this Rezoning will allow additional height, closer to the property line, along the entire west boundary of the project. This will reduce the esthetic and consequently the economic value of the existing homes to the west. The same principal applies to a lesser extent along the north side of the project. The only way to justify the statement "it will increase the value of abutting properties" is to say an anticipated future use involving higher density will increase values. This is a false assumption.
- H. Entitlement: The existing entitlement was granted with a stipulation that one-hundred and thirty-nine condominiums would be built. That entitlement limited the height, density (number of units and consequently number of inhabitants), number of auto trips per day, access to abutting streets and use. The use was single family ownership not rental.

Based upon this, the Proposed Rezoning should be rejected.

Sincerely,



Patty Badenoch,

cc: property owners

Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ 85251

Pursuant to Section 1.706 of the Scottsdale Zoning Ordinance, the undersigned hereby files a legal protest against the proposed zoning map amendment known as *Portales Residential*, zoning case number 76-ZN-1985#6, located West of the Southwest Corner of Scottsdale Road & Chaparral. The Proposed Amendment will increase the number of units on the 9.7 (+/-) acre site from the previously approved 126 condominiums to 369(+/-) apartments. If approved, the density would increase from approximately thirteen units per acre to approximately thirty-nine units per acre. This is a 300% increase in density.

As property owners south of and adjoining the proposed project who constitute more than "twenty (20) percent or more of the area of those immediately adjacent to the subject property of the zoning map amendment along any side in each cardinal direction extending one hundred fifty (150) feet as measured from the perimeter of the subject property...as required by Section 1.706, (Ord. No. 2495, & 1, 9-1-92; Ord. No. 2830, & 1, 10-17-95) the undersigned respectfully request this proposed change be denied.

Name (print)	Signature	Address	Date
1) ROB DORSEY	Rob Dorsey	7131 E Rancho Vista Dr #6040	4/13/12
2) A AVE	Je-De	7117 E Rancho Vista Dr #400	4/11/12
3) D BOOTH	D BOOTH	7131 E Rancho Vista Dr #6009	4/11/12
4) WILLIAM H JOHNSON			
5) LUZ RENEZO	Quince	7181 E Rancho Vista Dr #2004	4/11/12
6) G Matheson	Matheson	7131 E Rancho Vista Dr #604	4/14/12
7) THOMAS M. JAC	Thomas M. JAC	7131 E Rancho Vista Dr #2001	4/14/12
8) Mary Harrington	Mary Harrington	7127 E Rancho Vista Dr #3012 Scottsdale AZ 85251	4/16/12
9) DEREK MIDDLETON	Derek A	7137 E RANCHO VISTA #3009, SCOTTSDALE, AZ 85251	4/16/12
10) Steve FREEMOLE	Steve Freemole	7131 E RANCHO VISTA Dr #5010	4/19/12
11) J Bennett	J Bennett	7137 E Rancho Vista Dr #3010	4/19/12
12) Ethelyn Cohen	Ethelyn Cohen	7131 E Rancho Vista Dr #4008	4/19/12
13) JOANN GRIFFITH	Joann Griffith	7127 E RANCHO VISTA Dr #4002	4/21/12
14) BOB GRIFFITH	Bob Griffith	7127 E RANCHO VISTA Dr #4002	4/21/12
15)			

Pursuant to Section 1.706 of the Scottsdale Zoning Ordinance, the undersigned hereby files a legal protest against the proposed zoning map amendment known as *Portales Residential*, zoning case number 76-ZN-1985#6, located West of the Southwest Corner of Scottsdale Road & Chaparral. The Proposed Amendment will increase the number of units on the 9.7 (+/-) acre site from the previously approved 126 condominiums to 369(+/-) apartments. If approved, the density would increase from approximately thirteen units per acre to approximately thirty-nine units per acre. This is a 300% increase in density.

As property owners south of and adjoining the proposed project who constitute more than “twenty (20) percent or more of the area of those immediately adjacent to the subject property of the zoning map amendment along any side in each cardinal direction extending one hundred fifty (150) feet as measured from the perimeter of the subject property...as required by Section 1.706, (Ord. No. 2495, & 1, 9-1-92; Ord. No. 2830, & 1,10-17-95) the undersigned respectfully request this proposed change be denied.

[illegible]

Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ 85251

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SIGNED BY: Kimberly S. Smith / R. A. Smith

ADDRESS: 7161 E. Rancho Vista Dr # 4012

DATE: 3-29-2012

W

Scottsdale City Clerk
3939 N. Drink water Blvd.
Scottsdale, AZ 85251

Pursuant to Section 1.706 of the Scottsdale Zoning Ordinance, we hereby file a irrevocable Legal Protest against the *Portales Residential* proposal, zoning case number 76-ZN-1985 #6. Located West of the Southwest Corner of Scottsdale Road & Chaparral. The case proposes to increase the density on the 9.7(+/-) acre site from the previously approved 126 condominiums to 379 rental units. If approved, the density would go up from about 13 units per acre to about 39 units per acre. This is a 300% increase in density.

As property owners on the west of and adjoining the proposed project who constitute more than "twenty (20) percent or more of the area of those Immediately adjacent to the subject property of the zoning map amendment along any side in each cardinal direction extending one hundred fifty (150) feet as measured from the perimeter of the subject property..." as required by Section 1.706, (Ord. No. 2495, § 1, 9-1-92; Ord. No. 2830, § 1, 10-17-95) we respectfully request this proposed change be denied.

Name	Date	Address	Signature
Linda Bish	3/30/12	7131 E. Rancho Vista Scottsdale, AZ	Linda Bish
Carol Snider	3/30/12	7127 E Rancho Vista Scottsdale	Carol Snider
Ethelyn & Howard Cohen	3/31	7121 E. Rancho Vista #4008 Scottsdale, AZ 85251	Ethelyn & Howard Cohen
Joey Bish	3/31/12	7131 E. Rancho Vista Scottsdale AZ 85251	Joey Bish
John BENNETT	3/31/12	7131 ✓ #3010 ✓	85251
Mary Harrington	3/31/12	7127 E Rancho Vista Dr #3012 Scottsdale AZ 85251	Mary Harrington
Chris Lurie	4/1/12	7137 E Rancho Vista	Chris Lurie
George & Nola Gute	4/1/12	7131 E. Rancho Vista	George & Nola Gute
Bob & Mary Funnell	4/2/12	7131 E Rancho Vista	Bob & Mary Funnell
Ray & Val SACHS		7127 E. Rancho VISTA #6007	Ray & Val SACHS
S. Martinez	4/2/12	7131 E Rancho Vista Dr #6011 Scottsdale, AZ 85251	S. Martinez

Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ 85251

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name (print)	Signature	Address	Date
Vince Grell	[Signature]	[Address]	[Date]
Vince Grell	[Signature]	7157 E Ranch Vista Dr. #6006	4.1.12
VALARIE MEINER	[Signature]	7161 E Ranch Vista Dr. #5006	4-3-12

Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ 85251

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Name (print)	Signature	Address	Date
1) SAEID ANSARI	[Signature]	2008 - 7161 E. RANCHO VISTA DR. Scottsdale AZ 85251	Apr 15/12
2) Kim Johnson	[Signature]	7161 E RANCHO VISTA DR. Scottsdale AZ 4	4/12/12
3) Greg FENZL	[Signature]	7147 E Rancho Vista Dr Scottsdale AZ 85251	4/10/12
4) Brenda Vogel	[Signature]	7151 E Rancho Vista #4006 Scottsdale AZ 85251	4/11/12
5) VALARIE MEINERS	[Signature]	7161 E Rancho Vista 5005 Scottsdale AZ 85251	4/11/12
6) Wallace M. McCook	[Signature]	7151 E. Rancho Vista Dr Scottsdale AZ 85251	4/11/12
7) Mary L. McCook	[Signature]	7151 E. Rancho Vista Dr #3001 Scottsdale AZ 85251	4/11/12
8) Jessica M. ft	[Signature]	7167 E. Rancho Vista Dr #1003 Scottsdale, AZ 85251	4/11/12
9) Carey Tommy	[Signature]	7161 E. Rancho Vista Dr #3010 Scottsdale, AZ 85251	4/11/12
10) Jennifer Mathen	[Signature]	7147 E. Rancho Vista Dr. #5008 Scottsdale AZ 85251	4/11/12
11) William Healy	[Signature]	7167 E Rancho Vista Dr #3003	4/11/12
12) Tara Miller	[Signature]	7161 E Rancho Vista Dr #3001	4/11/12
13) Linda Wagner	[Signature]	7147 E Rancho Vista Dr #2007	4/11/12
14) Jeremy Gil	[Signature]	7157 E. Rancho Vista Dr #5004	4/11/12
15) Siminbadj Badr	[Signature]	7161 E. Ranch Vista Dr. #2008	04/13/12

Scottsdale City Clerk
3939 N. Drinkwater Boulevard
Scottsdale, AZ 85251

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Name (print)	Signature	Address	Date
1) RAYMOND SACHS	Raymond Sachs	7127 E. RANCHO VISTA #6007	4/6/12
2) Steve FREEMAN	Steve Freeman	7131 E. RANCHO VISTA #5010	4/8/12
3) Jenna MODICK	Jenna Modick	7121 E. Rancho Vista	4/10/12
4) Coreen Young	Coreen Young	7117 E. Rancho Vista Dr. #1005	4-10-
5) Michael Bennett	Michael Bennett	7131 E. Rancho Vista #2006	4/9/12
6) Ann Barker	Tony Dennis	7127 E. Rancho Vista #5005	4/9/12
7) Lenny KALMENSEN	Lenny Kalmensen	7117 E. Rancho Vista Dr. #1006	4/10/12
8) Joan Kalmensen	Joan Kalmensen		
9) Bob Griffith	Bob Griffith	7117 E. Rancho Vista	
10) Martha Rinne	Martha Rinne	7121 E. Rancho Vista Dr. #4004	4/10/12
11) DAVID MINOR	David Minor	7131 E. RANCHO VISTA #3002	4/6/12
12) Ritch Kubes	Ritch Kubes	7131 E. Ranch Vista 1005	4/11/12
13) John Mathieson	John Mathieson	7131 E. Ranch Vista Unit 6011	
14) Barbore Burns	Barbore Burns	7137 E. Rancho Vista #5006	4/11/12
15)			

Patricia Guard Badenoch

*5027 North Seventy First Place
Scottsdale, Arizona 85253*

Phone: (480) 949-9549

Cell: (602) 300-5936

E-mail: guardbadenoch@cox.net